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ABSTRACT

Written specifically for Navajo junior high through college students, but also serving those interested in modern reservation developments and processs, the third volume of a curricular series on Navajo history provides a synthesis of data and pictorial records on current events in the areas of Navajo government, economic development, and health. Unit I focuses on historical aspects of the tribal council: oil and mineral development; business council; Indian Reorganization Act; stock reduction and constitution; constitutional assembly; council reorganization; World War II; budgets; voting; Navajo-Hopi Rehabilitation Act; advisory committee; tribal election procedures; Navajo constitution; beginning of the chapter system; chapter listings, officers, and duties; and Navajo suffrage and citizenship. Unit II describes the history, personal viewpoints, and current tribal efforts regarding the joint use area, Office of Navajo Economic Opportunity, and Dinebeiina Be Agaditahe (People's Legal Services). Unit III considers development of the economy (employment, unemployment, and Navajo energy policy); natural resources (coal, uranium, oil, irrigation, and forest products); and small business (examples, problems, importance). Unit IV addresses health programs, philosophy, planning, agencies, motor vehicle accidents, and alcohol. Unit V presents an interview with tribal chairman, Peter MacDonald; contemporary viewpoints on energy, tribal budget, and federal support; and the tribal organization chart. (NEC)

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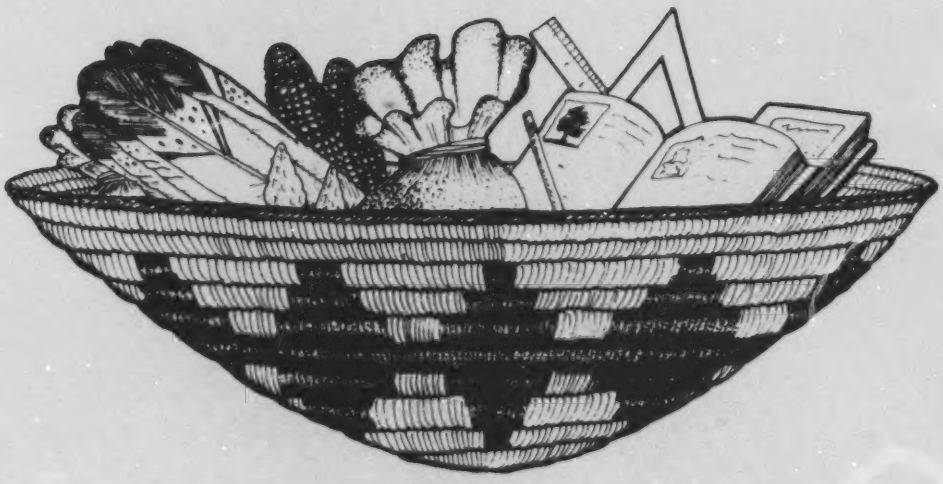

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CONTEMPORARY NAVAJO AFFAIRS

Navajo History,
Volume III,
Part B

By
NORMAN K. ECK

All Photographs by Leslie J. Nelson

Hand-Drawn Illustrations
by Fred Bia

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DEDICATION

This book is dedicated to Navajo Students
and to those of us who are students of the Navajo.

ACKNOWLEDGMENTS

By its very nature a book or work of this sort is not the sole expression of one person, the author, but a compilation of the input of many people made possible by the effort and energy of the writer. I owe a great debt of gratitude to many people who made this book possible. I cannot name them all here but each will know the hand of support they lent to the writing and production.

I must thank Leslie J. Nelson, one of the finest Navajo photographers, for the sharing of his photographs for this book. They compliment and express much which my words could not.

It would not have been possible to write this book without the initial support and continued help of Bob and Ruth Roessel. Through many struggles they have helped me see that the needs of Navajo education can and must be met through unselfed labor and love.

The help of the Navajo Curriculum Center and especially of Terri McCarty I am most grateful for. The drawings of Fred Bia compliment the text.

Discussions, materials and ideas were supplied for this book through many fine Navajos and their organizations. Some of those individuals and departments include:

Peterson Zah
DNA
ONEO
Wilbert Willie
Chairman Peter MacDonald
Division of Health Improvement Services
Navajo Division of Economic Development
Gilbert Harrison
Navajo Small Business Development Corporation

A sincere thanks goes to each member of my family who provided valuable work and support to me which made this book possible. Without this help the book never would have been completed.

FOREWARD

There are today, numerous publications dealing with the Navajo people — their history and culture, their social, political and religious life. Most of these books have been written for a non-Navajo, often scholarly audience. While they are valuable resources, such works are not readily adaptable to classroom use, nor is their content always germane to contemporary reservation issues. As a consequence, teachers of Navajo students are forced to "piecemeal" these materials into a meaningful curriculum. The rewards of this task sometimes seem too long-range or nebulous to merit serious consideration and so, sadly, many Navajo-oriented texts remain unused by the teachers and students who might benefit from them most.

The present book is one attempt to ameliorate this situation. The last in a series of curricular products dealing with Navajo history.[1] *Contemporary Navajo Affairs* provides a synthesis of data on current events. The text is written specifically for Navajo students. Its subject matter is, therefore, particularly relevant to their interests and the potential problems they will face as adult members of both Navajo and Anglo-American society.

The appeal of this book stems not only from its applicability in the classroom, however. As a comprehensive survey of current information on the Navajo Tribe, *Contemporary Navajo Affairs* is unique. In this book Norman Eck has complied voluminous information on people, events and organizations which impact Navajos and their neighbors in the Southwest. In most cases, the author presents these data from an historical perspective, making them more intelligible for the reader. In addition, the personal statements of Navajos which express feelings about the land (Chapter 4), tribal government and economic development (Chapter 5), and other topics in the book, enhance its significance and meaning. An interview with former Tribal Chairman Peter MacDonald in the final chapter unifies the many areas discussed by the author, and affords a positive view into the Navajos' future.

Contemporary Navajo Affairs is one of a handful of books dealing with such timely topics. It is written by an individual who has first-hand knowledge of these issues, and who has served Navajo communities as a concerned educator and administrator. As a text for Navajo students, this volume is a much needed addition to the curriculum. As a compendium of current information, it is a useful guide and a valuable tool for all those interested in modern reservation developments and processes.

-- Teresa L. McCarty
Navajo Curriculum Center
Rough Rock, Arizona
April, 1983

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1. This publication is the sequel to *Navajo History Vol. I* which deals with prehistory according to Navajo oral tradition, and *Dinetah*, which concerns the Navajos' original occupation in the canyonlands of what is now northwestern New Mexico. *Navajo History Vol. II, Part A* focuses on Navajo education in the twentieth century. All four volumes in the series are available at the Navajo Curriculum Center, Rough Rock Demonstration School.

INTRODUCTION

Over the past decade I have been one of the most fortunate of non-Indians to have been priviledged to live with and get to know intimately the Navajo people. In working both in business and in education many of the concerns of working Navajos expressed to me have dealt with the future of the Navajo people, their lands and their culture. This book does not deal with the future, nor does it pretend to predict what the future will be. We must understand, however, what our contemporary history has been in order to understand what events are shaping the Navajo future course.

Navajo students do not have the many newspapers, radio stations, television stations and magazines discussing their political and social affairs as do their off-reservation counterparts. Little media attention is given to Indian problems or Navajo affairs in particular. The only periodical the Navajo people have is the *Navajo Times* newspaper. This makes it difficult for young Navajos as well as others to learn and discuss the important events which are directly affecting their lives and shaping the course of their futures.

I have been appalled at the apathy of the non-Navajos living around the Navajo Reservation as to the Navajo presence and importance. From an economic standpoint, the Navajo Reservation provides shoppers to the off-reservation stores; the Tribal government receives great amounts of federal monies which are spent with off-reservation vendors. More importantly than the economic interest the non-Navajos should have with the Navajo people is the very fact that the Navajo are a distinct and special people. This alone commands respect, reflection and study by both Navajos and non-Navajos alike. The Navajos have survived intended genocide, displacement of the majority of their population and wholesale attempts at changing their culture and lifestyle.

This book places in one source a summary of important factors concerning Navajo government, economy and health. A study of Navajo health available to the lay person has been sadly lacking. Some of the material presented in this book is not written by the author, but the intent of the book is to present under one cover a summary of important topics having faced the Navajo people over the past several decades.

This manuscript was written before Peterson Zah was elected as Chairman of the Navajo Tribe. Therefore no part of the political campaign of either MacDonald or Zah have been covered. To some readers certain materials included in the book may seem burdensome and to others interested in those materials it may seem inadequately covered. I think many authors have avoided writing about contemporary affairs because of the many hazards given in writing about things we are still close to, a certain lack of perspective which is only given by time, opposing points-of-view held by other persons, and the fact that overnight important situations can change.

The challenge to address the contemporary, as well as the future, is a call many more must take up. This book is the first book to cover discussions on as many contemporary issues as this one does at one time.

It is also the intent of the author to make this book approachable and comfortable to use by junior high school students as well as high school and college students.

As to the content of the book, the decision as to what to include at a minimum was made through discussions with the Rough Rock School Board and its Executive Director, Jimmie C. Begay. It was, in fact, because of their keen interest in a book of this nature which could be used by their students as a textbook as well as by a broad range of adult Navajo and non-Navajo readers that the author decided to take on this seeming fearsome task.

Others instrumental in shaping the content are Dr. Robert A. Roessel, Jr. and Ruth Roessel. We have had scores of discussions on the book as it was being written and edited. Much material on the Health and Government Units was gathered by Dr. Roessel. He and Ruth provided many invaluable insights which proved indispensible to the author.

I must thank Teresa McCarty for her support and encouragement in the book. For the past few years she has directed the Navajo Curriculum Center and its related projects. She has upheld the School Board's directive to publish works about the educational, social, cultural and historical perspectives of Navajo life. No one has done a better job in the 17 years of Rough Rock's history in this endeavor.

Before concluding, I would like to include a thought on the Navajo Economic Development Unit. No chapter of this book is intended to look into the future and tell what is to happen. The Unit of Economic Development is closest to the author's interest and one of my most important concerns for the Navajo people. I have some thoughts on what could be done to better encourage development which are expressed in the book and some thoughts are not. However, economic development is a must. Some form and measure of change is a must. To not have this will eventually kill Navajo spirit and hope.

It has been written as late as March 3, 1983 in an article published in the *Rocky Mountain News* in Denver that the Navajo unemployment rate on the reservation is as high as 50 to 75 percent. Now, I do not know *excatly* how much higher this actually is from where it was in the late 1970's. My economic discussion details information obtained from the Tribe and is from the late 1970's and 1980. It is easy to simply include new numbers in figures of unemployment and on the surface the picture and problem is changed dramatically. But the employment situation has never been good, never been much different than it is now. There is a marked downturn in the Reservation economy due to government spending cuts but the actual nature of the situation has not suddenly changed.

In conclusion, the author hopes that this book does spur on further discussion about the contemporary problems and affairs of the Navajo people and that new vehicles and media can be found and utilized to bring these topics closer to Navajos, by Navajos, and for those of us non-Navajos who are an integral part of the Navajo sphere of influence in the southwestern United States.

A Special Expression of Appreciation

. . . is extended to the Rough Rock Demonstration School Board for its continued support for the development of books and materials for and about Navajo life, culture and education.

Wade Hadley, President
Teddy McCurtain, Vice President
Thomas James, Secretary
Simon Secody
Billy Johnson

Jimmie C. Begay, Executive Director

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Unit 1

NAVAJO GOVERNMENT

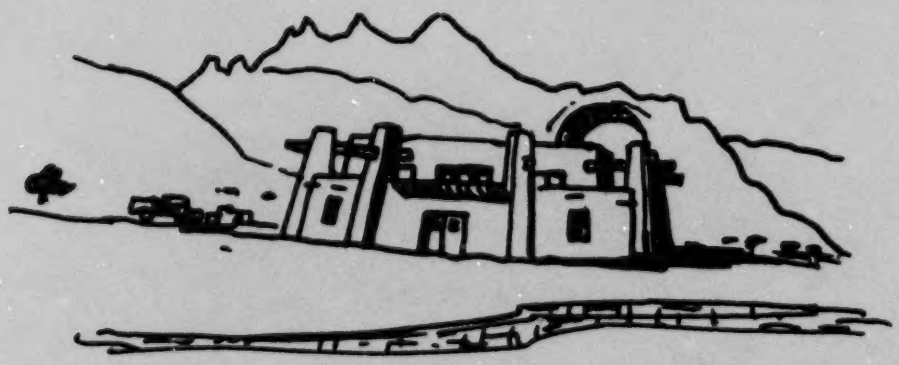

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TABLE 1

TIMETABLE OF SIGNIFICANT EVENTS IN NAVAJO TRIBAL GOVERNMENT

Third World — First Naat'aanih selected by the Holy People
Emergence to the Present World

Year O-AD			
500			
			Approximate time of Navajo settlement in Southwest
1000			
1500			
1600	-		Early contacts with Spanish and Mexicans
1700			
	-	1766 -	Narbona was born
1800			
	-	1805 -	First written peace treaty between the Spanish and Navajo
1810			
1820			
1830			
	-	1839 -	Treaty with Spanish at Jemez, Antonio Sandoval made leader of Tribe by Spanish
1840			
	-	1846 -	First treaty between the Americans and the Navajo
	-	1849 -	Treaty at which Narbona was killed
1850			
	-	1859 -	Approximate date of last Naachid
1860			
	-	1863 -	Kit Carson's campaign against the Navajo
	-	1864 -	Navajos sent to Fort Sumner
	-	1868 -	Treaty of 1868
1870			Death of Barboncito
	-	1872 -	First Navajo Police Force under Manuelito
1880			
	-	1884 -	Henry Chee Dodge appointed Head Chief of the Navajo
1890			
	-	1893 -	Death of Manuelito
1900			
1910			
1920			
	-	1921 -	First Oil Lease on Reservation granted
	-	1922 -	Business Council established
	-	1923 -	First Navajo Tribal Council
	-	1927 -	First Chapter near Leupp
	-	1928 -	Navajo women given right to vote in Tribal Elections

1930

- 1933 - John Collier becomes Secretary of the Interior
- 1934 - Indian Reorganization Act passed by Congress; Livestock Reduction begins
- 1936 - Grazing Committee established
- 1937 - First Navajo Constitutional Assembly; Navajo Grazing Regulation issued
- 1938 - Rules for the Navajo Council issued by Secretary of the Interior

1940

- 1941 - World War II begins
- 1947 - Henry Chee Dodge dies; First Tribal Attorney hired; School attendance made mandatory
- 1949 - First Tribal budget

1950 - Navajo-Hopi Rehabilitation Act passed

- 1952 - Tribal Mining Department established
- 1953 - Second attempt at Navajo Constitution
- 1954 - Tribe appropriates money to Chapters; Tribe becomes solely responsible for elections
- 1956 - Revised Navajo Grazing Regulations issued; Grazing Committees established
- 1957 - Navajo Tribal Park Division established
- 1959 - Tribal Council makes rules for Chapter Elections; First Land Boards

1960

- 1966 - Board of Election Supervisors established; Qualifications set for Chairman, Vice-Chairman, and Councilmen.
- 1968 - Third proposed Tribal Constitution

1970

- 1974 - Navajo-Hopi Land Settlement Act
- 1978 - Reapportionment approved for Apache County, Arizona MacDonald re-elected to an unprecedented third term as Chairman

- 1981 - Peterson Zah elected as Tribal Chairman

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CHAPTER 1

A History of the Navajo Tribal Council

Oil and Mineral Development on Navajoland — Business Council — Navajo Tribal Council — Indian Reorganization Act, Stock Reduction and Constitution — Constitutional Assembly — Reorganized Tribal Council — World War II — First Tribal Attorney — Tribal Budgets — Voting — The Navajo-Hopi Rehabilitation Act — Constitution - A Second Attempt — The Advisory Committee — Election Procedures for Chairman and Vice-Chairman — Navajo Constitution - A Third Attempt — Tribal Development

Oil and Mineral Development on Navajoland

Around the turn of the century increasing interest in mineral development turned companies to look to indian lands across the United States. The automobile, or horseless carriage, and the fuel to run them, was to become the boom of the century. By 1891 the interest in exploiting the mineral resources of Indian lands reached a point at which the Congress enacted a Federal law permitting mineral leases on tribally owned lands: "By the authority of the Council, speaking for such Indians." Then, by 1920 came the General Leasing Act. The combined permission of the Secretary of the Interior and a council of Indians had to agree to any and all mineral developments on Indian lands.

The U.S. Geological Survey and interested independent mineral companies made a careful study of the oil potential of the Four Corners area during the years 1921 to 1923. Midwest Refining Company was able to obtain a lease to develop a 4,800 acre plot near the eastern boundary of the Treaty Reservation near Shiprock. Although, no recognized Council represented the Navajos of the Shiprock Agency area at this time, the adult members of the Tribe living in that area were invited to attend a meeting with the oil companies. At first, the proposed leases were rejected but at a meeting shortly after May 7, 1921 the first lease was granted to the Midwest Refining Company.

Within a year, Midwest Refining Company struck oil. In a short time, three more 4,800 acre leases were granted. It was felt then, as it is today, that all members of the Navajo Tribe hold the interest in the land and its resources, and the land and what it produces is owned by all members of the Tribe. As a result, a Navajo Tribal Council needed to exist. Only the Council could have the authority required to provide the Tribal consent towards the leasing of the lands.

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Business Council

In 1922, Chee Dodge, Charlie Mitchell and Dugal Chee Bekiss were appointed to constitute a Business Council to approve all such leases. However, its legality was questioned because it did not represent the consent of at least three-fourths of all the adult male Indians. This was a requirement stipulated by the Federal Government. The Council held one meeting on Janaury 26, 1922 to approve an oil lease.

Navajo Tribal Council

In 1923, a set of regulations was drawn up by the Bureau of Indian Affairs to create a Navajo Tribal Council. The new regulations held in principle that all members of the Tribe had an equal interest in the natural resources of the Navajo Reservation. This specifically meant that resources in any Agency of the Navajo Reservation belonged not only to the members resident in that Agency but to all the members of the Tribe. The Navajo Tribal Council was to be a "continuing body with which administrative officers of the Government may directly deal in all matters affecting the Tribe."

A Commisioner of the Navajo Tribe was established to have administrative control over the several Superintendencies. This was an appointed post by the Secretary of the Interior. The Council provided for a Chairman and Vice-Chairman, plus one delegate and one alternate delegate from each of the six Superintendencies.

The Navajos in each jurisdiction were directed to elect their delegates and alternates, upon thirty days notice, at a time and place to be designated by the Commissioner of the Navajo Tribe. If any Superintendency failed to carry out the required election, provision was included for the appointment of a delegate and alternate by the Secretary of the Interior. After the election, the Commissioner of the Tribe was to call for a convention at which a permanent Chairman was to be elected by majority vote of the delegates from outside the Council membership, while one of the Council delegates was to be chosen as Vice-Chairman.

The 1923 regulations stated that the Council could meet only when the Commissioner called for it and only in his presence. The Secretary of the Interior held the power to remove any Council delegate. There originally were six delegates — five from each of the Navajo jurisdictions and one from the Hopi.

These regulations were never enforced because new regulations superceded them. The number of delegates and alternates increased from six to twelve. It was apportioned on the basis of relative population, as follows:

1. San Juan: 3 delegates and 3 alternates
2. Western: 2 delegates and 2 alternates
3. Navajo (Southern): 4 delegates and 4 alternates
4. Pueblo Bonito: 1 delegate and 1 alternate
5. Luepp: 1 delegate and 1 alternate
6. Moqui: 1 delegate and 1 alternate

It was mandatory that there be a quorum of two-thirds of the delegates for the transaction of business; there was a four-year term of office established for the Chairman and Vice-Chairman and there were to be one or more interpreters for the Commissioner to the Navajo Tribe. Otherwise the regulations were similar to the earlier ones.

It should be noted that the Navajo Tribal Council was not a governing body. It was created by the Secretary of the Interior. It had no jurisdiction or authority other

than to approve leases that were brought before it and any other matters of business brought before it by the Commissioner of the Navajo Tribe. Nowhere in the regulations was any mention of other authority or powers that it possessed. The Tribal Council would vote on all measures brought before it by the Commissioner in order to accept or reject them in the name of the Tribe, but it had no legislative authority. No avenues were open whereby the Tribal Council could initiate action for the benefit of the Navajo people at large.

The first meeting of the Navajo Tribal Council was July 7, 1923 at Toadalena. Chee Dodge was elected the Chairman but there was no Vice-Chairman. It was also decided at the 1923 meeting that the delegates would serve terms of four years. In addition, all male members of the Tribe over the age of twenty-one could vote. This Council had no monies to disburse and its only function was to act as a liaison — a go-between — with the Federal Government and the Navajo people. The Council made plans to conduct a meeting for a few days each year.

The Council gave authority to the Commissioner of the Navajo Tribe to sign all mineral and oil leases in the name of the Navajo people.

In 1928, the position of Commissioner of the Navajo Tribe was abolished and his duties were taken over by the Commissioner of Indian Affairs. The quorum was changed from two-thirds to a majority and Navajo women were specifically given the right to vote. The office of Vice-Chairman was established.

Even with the few changes that came during the 1920's, the Council met only when called upon by the Commissioner of Indian Affairs, and discussions were limited to those matters brought before it by the Government. In 1928 Chee Dodge declined to be nominated for Chairman once more. Deshna Chischillige became the second Chairman with Maxwell Yazzie elected as the first Vice-Chairman.

In 1933 a man by the name of John Collier was nominated to the post of Commissioner of Indian Affairs. He was a social scientist from the east and inaugurated many controversial and interesting programs for the Navajos and all Indians alike. He proposed that the existing regulations of the Tribal Council be amended "so as to provide more flexibility and latitude in regard thereto in order to enable the Indians to have more voice and responsibility in the management of their tribal affairs." Thomas Dodge, son of Chee Dodge, was named Chairman of the Council and Marcus Kanuho was elected Vice-Chairman.

Chairman Thomas Dodge made several recommendations to the Council. He suggested that the Chairman and Vice-Chairman be elected by the people at large rather than just by the Council itself. He also recommended that the Council abolish the alternates and have these as delegates, thereby doubling the members of the Council from 12 to 24. He also organized the members of the Council into committees. The committees were: Executive Committee, Water Development, Natural Resources and Tribal Land, Education and Public Health, and Chapter Organization.

In 1923 the early Council had given power of attorney to the Commissioner of Indian Affairs and the Commissioner of the Navajo Tribe, for the purpose of granting oil and mineral leases on the Tribal lands. In 1934, however, Commissioner Collier recommended that the authority for the approval of these leases be given back to the Navajo Tribal Council. Collier also approved that alternates become delegates, and thus the Tribal Council was expanded to include them. The Council did approve of these changes. From now on it would again approve all leases.

Friar Berard Haile was a Catholic missionary on the Navajo Reservation for many years during the first half of this century and was a great friend to the Navajo people, working diligently for the Navajos to aid them in self-government.

He wrote the following comments on the early Navajo Tribal Council:

> *The old Council felt that oil leases and sales of oil, timber and other natural products alone were the subject of their discussions. New problems concerning the Tribe as a whole did not enter the original purpose for which the Tribal Council had been formed. These new problems, such as soil conservation, sheep reduction, land management, road construction and the like, which have arisen since the organization of the Tribal Council in 1923, seemed to make delegates and alternates powerless to deal with them. The prime reason, as the delegates expressed themselves, was that their constituents at home had not authorized them to deal with these new problems.* (Young, p. 81)

The Indian Reorganization Act, Stock Reduction and a Constitution

In June of 1934 the Congress of the United States passed the Indian Reorganization Act which placed greater emphasis on Indians determining their own futures and handling their own government to a much greater degree. The Act contained a conservation provision which specifically directed the Secretary of the Interior to regulate the use of Tribal lands to prevent erosion and deforestation. The Act provided for greater self-determination and was applicable only to those tribes which chose to accept it. It provided means by which Indian lands could be enlarged, as well. This Act was the beginning of the Navajo Livestock Reduction Program that spread horror and starvation across the Navajo Reservation.

The Navajo Nation rejected the Indian Reorganization Act. It was voted on by the Navajo people themselves on June 17, 1935. Voting to reject the Indian Reorganization Act were 7,992 and voting for it were 7,608, a close vote. The Shiprock and Eastern Navajo Agencies were those most opposed to the Act.

This Act would have given more power to the Navajo Tribal Council. However, it was rejected because of other provisions included in it which seemed unfavorable to the majority of Navajos who voted. One important point is that the Act would have provided for a constitution as the basis and foundation of the Navajo Tribal Council.

In the United States, all assemblies or legislative bodies must have a constitution in order to have actual legislative powers and to be recognized by the Federal Government as having jurisdiction over certain peoples or lands. The Indian Reorganization Act would have provided this.

By 1935 livestock reduction was not voluntary. Also, white (non-Navajo) stockmen had qualified for grazing permits on the Federal land around the Reservation, especially in the Eastern Navajo Agency where many thousands of Navajos were living and growing their herds. The Navajos wanted to be granted additional lands on the Eastern portion of the Reservation in order to evict the invading white stockmen. However, the Congress of the United States refused to grant the additional lands unless the Navajo Tribal Council would accept the government program for forced stock reduction.

In 1936, the Commissioner, John Collier, demanded that the Council accept and approve Stock Reduction. He informed them it was mandatory that they do so. At the same time, however, he requested that the Tribal Council enlarge its powers and authority. This could be done through a constitutional committee, which would draw up a constitution and by-laws. He felt that the present Tribal Council should be reorganized, based upon this new constitution to be drawn up. On November 24, 1936, the Tribal Council voted for its reorganization and for a constitutional

assembly of Headmen. By this time the Chairman, Thomas Dodge, had resigned his position and Marcus Kanuho, former Vice-Chairman, had taken over as Acting Chairman. Chairman Kanuho addressed the Council:

> *Two years ago a kind of split-up, you might say, happened, which doesn't look good toward the present Council, and the meetings that we have been having since then seem to be more an argument than anything else. They do not do the Tribe any good, nor the Council; and I would suggest now that, during this meeting we try to come together and compromise more. So I would like to see this Council now act on the reorganizing of this Tribal Council and try to come to some agreements as quickly as possible. This present Council only has six months more to go."* (Young, p. 90)

It was then resolved by the Tribal Council that a committee...

> *consisting of the present members of the Executive Committee and the former Chairman of the Tribal Council be, and the same is hereby appointed for the purpose of calling a constitutional assembly for the purpose of considering and adopting a constitution and by-laws for the Navajo people.*

The Bureau of Indian Affairs felt a Navajo Tribal Constitution under the support of traditional Navajo Headmen would be able to make the livestock reduction program accepted as a provision in the new government. The Bureau did not realize that the Navajo people would not accept this nor listen to their Headmen, for the Navajo did not wish to accept the issues given them in such a dictatorial manner.

The Council did pass a vote which determined that a special grazing committee was to be established to "consult and negotiate with the Commissioner or his representative" on the drafting of special grazing regulations. Also, the Council urged the members of the Tribe in the Land Management districts to organize and to "take part in the making of local management plans within the scope of such general regulations as may be adopted."

Fourteen outstanding leaders of the day were nominated to the constitutional committee. Friar Berard Haile served as an advisor to this committee. This group of men traveled to all parts of the Reservation from December 4, 1936 to March 6, 1937. They listened to the Headmen and listed each one of them along with other leaders throughout the Navajo Nation. The Shiprock area was most resistant to this constitution but overall it was met with interested crowds as the committee traveled. From the lists of Headmen and natural leaders throughout the Reservation, Chee Dodge, the Navajo Reservation Superintendent; the Commissioner of Indian Affairs and the Secretary of the Interior were to participate in the selection of men who would comprise the constitutional assembly.

The tribal reorganization had two main purposes. One was to provide more power to the Council in order to enforce and endorse the policy of conservation embodied in the Stock Reduction Program and the second was to create a more effective Tribal Government for the Navajo people.

The Superintendent proposed and the Council approved a plan by which 64 delegates, distributed from across the Reservation, with one representative for every 500 Navajos in the population, would attend the constitutional convention. Two hundred and fifty candidates had been named by the constitutional committee. Eventually it was learned there would be 70 members in the convention.

Constitutional Assembly

The first meetings of the Constitutional Assembly were held on April 9 and 10, 1937, at which time it declared itself to be the Tribal Council of the Navajo People and proceeded to draft a constitution and by-laws for the Navajo Tribe. There were 68 tribal leaders present. Much of the first day was spent discussing Stock Reduction, neglecting the business of establishing a constitution. Then objections were raised that the delegates had been selected arbitrarily. However, the delegates moved and approved that they comprised the Tribal Council of the Navajo People and proceeded to nominate officers.

The drafted constitution which resulted from the convention was sent on to the Commissioner, John Collier. He testified before the Senate of the United States that ".... in their work they did not follow my suggestion of constructing the tribal system out of the Chapters." (Young, p. 106)

The proposed constitution was not very different from those adopted by other Indian Tribes under the Indian Reorganization Act, which the Navajo people had rejected. It provided for a 74 member Tribal Council with 20 delegates elected at large and 54 delegates apportioned among the 19 Land Management Districts and one representative each from Canoncito and Puertecito (Alamo). A President and Vice-President would be elected and there would be a 6 year term of office for delegates and officers. An Executive Committee would be comprised of the President and the 20 delegates elected at large. The proposed constitution contained all of the customary elements of a constitution including voter eligibility, requirements for election to office, etc. It also listed a statement of powers to be employed by the Tribal Government.

Some experts have considered the constitution a sufficient piece of legislation. It would have taken the Navajo Nation far into the realm of self-government and the Tribe perhaps could have made some better strides in the decades that have followed.

However, when the constitution reached Congress, some members questioned whether the Navajos still had the right to establish themselves with a constitution since they had rejected the Indian Reorganization Act which provided for constitutional self-government. Some felt that the internal dissent and problems within the Navajo Tribe might affect the acceptance of a constitution and enforce Federal Indian policy on the Navajos under the protection of their own constitution.

The disappointing result was that Commissioner Collier sent back two documents to the Navajo people on the Rules and Regulations of the Navajo Tribal Council. The Navajo efforts made in behalf of a constitution had been thwarted. Their strides in the direction of self-government had been stopped.

The proposed Navajo Constitution was rejected by the Secretary of the Interior and the Commissioner of Indian Affairs because of the dissension of the Navajo people over the government-sponsored Stock Reduction Program. A set of by-laws issued by the Secretary of the Interior was sufficient only to elect and reorganize the Tribal Council. The 1938 rules stated that the Chairman and Vice-Chairman were to be elected by popular vote and not elected out of the Council itself. These rules also provided for 74 delegates. It was not necessary for a government official to be present at the meetings. A secret ballot and election by majority vote was set up. The Reservation was divided into four provinces for the purpose of nominating candidates for Chairman and Vice-Chairman

To this day, a constitution has never been adopted and approved by the Secretary of the Interior for the Navajo people. There were further attempts to have

a constitution approved and ratified by the Tribal Council in the middle 1950's. There was much talk at Chapter meetings regarding a constitution and this was one of the platforms upon which Raymond Nakai ran for Chairman. However, this has not been realized which means that the powers of the Navajo Tribal Council are not defined or limited by the Navajo people.

Reorganized Tribal Council

On July 26, 1938, the Rules for the Navajo Council were signed by the Secretary of the Interior. These rules have been amended and expanded in the years since. However, they are basically the same rules which govern the Tribal Council today.

In 1938, the rules set up a 74 member Council apportioned among the districts on the basis of relative population. This was originally one delegate per every 600 people. The delegates from each district were to choose a Chief Delegate and the Chief Delegates formed the Executive Committee. Council officers and delegates were to serve terms of four years and the officers could serve only two terms.

Each election community would meet thirty days prior to an election to nominate up to three candidates for the office of Delegate and to nominate up to three to be election judges.

For the election of Chairman and Vice-Chairman, the Reservation was divided into four Election Provinces. The election members of the existing Tribal Council from each province were required to call a nominating convention. At the convention each voter in the community could make and participate in the nominations for a province candidate for the office of Chairman.

Candidates nominated were each assigned a different color. At election time the voters could simply relate the colors on the ballots to the candidate of their choice.

For a person to be elected Chairman he needed to receive the majority of votes. If one candidate did not receive a majority of ballots cast, there would be another ballot cast only for the two which had received the highest number of ballots.

The Tribal Council would hold one meeting per year and could hold more if tribal funds permitted. The 1938 rules did not state the powers of the Council nor the authorities of the Chairman. The first election under the new rules was held on September 24, 1938, and J. C. Morgan was elected Chairman and Howard W. Gorman became Vice-Chairman.

The new Council refused to appoint an Executive Committee when it met on November 28, 1938. They felt the whole Council should act to decide matters of general concern to the Tribe. This failure of action caused concern to the Federal Officials. John Collier wrote that this problem made it difficult to properly administer tribal business.

On March 21, 1938 it was approved by the Secretary of the Interior that the Chairman, or in his absence, the Vice-Chairman, was empowered to sign or countersign resolutions, contracts or commitments approved by the Tribal Council. This was the first executive authority given the Chairman.

In 1942 Chee Dodge was elected as Chairman. From the creation of the Tribal Council until the early 1950's it could not spend its own monies earned from its leases. Only the Congress of the United States could authorize the expenditure of tribal funds. In 1940 Congress appropriated $50,000 to be spent on the meetings of

all Indian tribal Councils. The Navajo Tribal Council had requested $7,500 for its meetings. It was granted $4,200. This was despite the fact that the money belonged to the Tribe and had been earned by the Tribe.

A most important factor which unified the Tribe was its opposition to Stock Reduction. This unity over Stock Reduction formed the foundation for tribal nationalism which emerged in the 1950's and 1960's.

World War II

World War II opened up the rest of the world to the Navajo People. Men signed up for the draft and the heroic deeds of Navajo soldiers have been recorded in such books as THE NAVAJOS and WORLD WAR II, published by Navajo Community College. It was the fighting effort of the Navajo Code Talkers which enabled our forces in the South Pacific to defeat the Japanese forces. Also, many Navajos — men and women alike — left the Reservation to work in war factories and other laboring jobs, contributing to the war effort. The overriding effect of this was that the Navajos gleaned much knowledge regarding the United States and other countries. Many Navajo wage earners learned what could be purchased in a store and what goods could be brought to the Reservation.

As well, the Federal Government's policy toward the Navajos became one of greater assimilation. In terms of education, the rise of off-reservation and border town boarding schools came into proliferation. Congress expressed its desire to "emancipate" the Indians from Federal domination and to release them from being "wards of the government."

After peace was declared, the wartime jobs ended and the workers and veterans returned home. There was a question concerning the returning people's ability to support themselves, having had the natural economy of the Reservation upset by the wartime intervention.

In the 1942 election Chee Dodge was elected Chairman and Sam Akeah was Vice-Chairman. In 1946 they were re-elected to office. However, Chee Dodge died while in office in 1947. Sam Akeah then became Chairman and the Tribal Council elected Zhealy Tso to fill the Vice-Chairman position.

Sam Akeah did not favor the Stock Reduction or the Federal Wardship programs, but supported greater Indian self-determination.

First Tribal Attorney

During the late 1940's there was a growing concern on the part of the Tribal Council and Chairman Akeah over several issues. The Tribal Council wanted to expand its purpose and influence and to be able to spend Tribal monies for the benefit of the Navajo people. Also, the Indian Claims Commission had been established in Washington D.C. Its purpose was to hear and try land claims on behalf of Indian people against the Federal Government. During the expansion and growth of the United States, treaties and lands had been given to Indians only to be taken away. The Claims Commission was initiated on the part of the Federal Government to rectify the past injustices to Indians in terms of land claims.

From 1946 through 1948 there were a number of studies done on the Navajo Tribe by the Federal Government. All these studies pointed to the great needs of the Navajos in terms of economic development, education, land improvements, etc.

The content from one report on Navajo Rehabilitation was the basis for the Navajo-Hopi Rehabilitation Act of 1950.

The Tribal Council passed a proposal, rejected by the commissions, to stop the Stock Reduction Program for at least five years. Stock Reduction was still a major point of dissatisfaction and frustration with the Navajo people as it was destroying their wealth and way of life.

Because the problems between the Federal Government evidenced that new legislation was being formed in the Congress affecting Indian peoples, including the Navajo. Chairman Akeah and the Tribal Council hired Norman Littel as the Tribal Attorney on July 10, 1947, under a ten year contract. Mr. Littel would reside in Washington, D.C. where he would have the most influence on upcoming legislation and upon its policy makers — the congressmen and senators.

At the same time that the Federal Government was increasingly setting policy and making statements about greater Indian freedom from Federal controls and greater responsibility for their own well-being, Stock Reduction still loomed over the Reservation.

With the help of the Tribal Attorney, Norman Littel, the Navajo Tribe was able to have a voice in the upcoming legislation, especially the Navajo-Hopi Rehabilitation Act passed in 1950. In this important piece of legislation was a section which allowed the Tribal Council to request the expenditure of funds and for these funds to be spent with the approval of the Commissioner of Indian Affairs. Without funds to spend, the Tribal Council was powerless.

The Tribal attorney and the Tribal Council worked together against Stock Reduction. In 1947, Lee Muck, assistant to the Secretary of the Interior For Land Utilization, stated in a report that Stock Reduction — a part of the Navajo grazing regulations of June 2, 1937 — was responsible for the dissatisfaction of the Navajo people toward the Federal Government. The Secretary of the Interior then stopped any further Stock Reduction until the rules were revised. The revision of the rules was left up to the Tribe to handle.

As a result, the Tribal Council established grazing committees across the Reservation to assist in the making of the new rules. The revised Navajo Grazing Regulations emerged in 1956 as a result of these committees.

Tribal Budgets

The Navajo Tribe had its own budget for the operation and administration of its own government for the first time in 1949. In this year it had on deposit $1,991,483 in the United States Treasury. With the passage of the Navajo-Hopi Rehabilitation Act in 1950, the Tribe was able to develop and nurture its own bureaucracy and control much more of its own affairs. The Tribal budget for 1949 was $84,342.

The Navajo-Hopi Rehabilitation act of 1950 did much for the organization of the Navajo Tribe. With its own budget to appropriate, the Tribe could initiate various programs and policies by itself and pay for their enacting.

Voting

Due to court action in 1948, the Navajos gained the right to vote in State and National elections in Arizona and New Mexico. The states had denied voting rights to Navajos up to this time.

Following is a table showing the income of the Tribe by year and how much it had budgeted for that year. However, this does not reflect how much was actually spent.

TABLE 2
Income of Tribe 1950-1960

YEAR	INCOME	BUDGET
1950	445,015	73,601
1951	1,398,653	1,217,888
1952	1,732,588	365,555
1953	5,637,069	414,949
1954	5,973,638	1,022,647
1955	2,095,818	1,962,685
1956	2,031,454	2,524,747
1957	35,493,383	3,254,325
1958	29,976,569	12,301,231
1959	16,025,722	12,649,531
1960	12,383,329	27,968,968

Source: Young, p.134

On September 15, 1950 the Navajo Tribal Council approved a new set of Rules for the Navajo Council. These amended the 1938 rules and the election regulations. The new election rules included:

a) Registration of voters
b) The Chairman and Vice-Chairman would now run together on the same ticket
c) Each of the 74 election precincts would name a local delegate to the Province Nominating Convention
d) A paper ballot with photographs would be used instead of the color-association system
e) A winning candidate for Chairman would no longer need to receive a majority of votes cast, but a plurality instead
f) Absentee ballots could now be cast
g) The Navajo Judges would be elected instead of appointed

In the first election under these new voting rules held March, 1951, of 16,000 qualified electors, 14,166 cast ballots. Percentage-wise this is an unusually high turnout for an election.

Sam Akeah won the election and his Vice-Chairman was John Claw. However, John Claw resigned the Vice-Chairmanship on August 15, 1952 and Adolph Maloney was chosen by the Tribal Council to succeed him.

The Navajo-Hopi Rehabilitation Act

On April 19, 1950, the Navajo-Hopi Rehabilitation Act became law. It authorized the expenditure of $88,570,000 of Federal money over a ten-year period.

The purposes in the plan were:

a) Education
b) Health
c) Industrial and Resource Development
d) Road Construction

On July 15, 1950, the Tribal Council established four special committees: Administration, Community Services, Engineering and Resources. These committees were to administer the Executive offices of the Tribal Government. The Navajo Council also established a Tribal Loan Committee in order to process the loan application. This was part of the $5 million Revolving Loan Fund made available under the Act.

The Act expanded the land leasing authority of the Tribe. It could now lease out land within the Reservation for public, religious, educational, recreational or business uses. This also included land for the development of natural resources.

The Advisory Committee of the Tribal Council took action under authority granted to it by the Tribal Council to approve regulations for uranium mining and it now was to be the negotiator of mineral leases other than oil and gas. During the 1950's, uranium mining greatly increased across the Reservation.

Due to that Act, the Tribal Council emerged in the 1950's as the policy-making and legislative authority for the Navajo Tribe. More meetings of the Council were necessary in order to enact all the business it had before it. On May 7, 1951, the Council amended the 1938 rules again and required four regular quarterly meetings per year. The meetings would last as long as the Council Chairman and Area Director deemed necessary.

In 1952, the Council established a Tribal Mining Department and hired a Tribal Mining Engineer. The Office of Tribal Comptroller was established in order to properly control the expenditure of Tribal funds. In 1947, school attendance was thought mandatory by the Council and in 1952 an ordinance was enacted authorizing the states to enforce compulsory attendance laws at public schools on the Reservation.

Constitution - A Second Attempt

The Act provided for the Navajo Tribe to adopt a Tribal Constitution to provide for the exercise of its Tribal powers. Shortly after he was hired, Norman Littel was instructed to develop and draft a Tribal Constitution for discussion purposes. A draft was completed by the BIA and the Tribe in the fall of 1953. It was sent to the Commissioner of Indian Affairs. It was similar in scope and content to other constitutions already adopted by other tribes. The draft included:

a) Requirements for Tribal membership
b) Established the Tribal Council as the Navajo Legislature
c) Established an Executive Branch of Government comprised of the President and Vice-President of the Tribe
d) Established a Tribal Judiciary
e) Authorized the establishment of Tribal business organizations
f) Provided formal recognition to Navajo Chapters
g) The Advisory Committee would be replaced by an Executive Committee
h) Stated that Tribal powers would only be limited by "any limitations embodied in the Statutes or Constitution of the United States"

There was much talk and discussion about the second proposal for the Navajo Constitution. There were meetings held at Chapter Houses on the Reservation and the feeling of Navajo nationalism was running high.

Federal officials in Washington, D.C. felt that this proposed constitution provided an interpretation of Tribal powers which was much too broad. They felt that the Secretary of the Interior would not be able to impose and enforce Federal Indian Statutes on the Navajos. They felt that only Congress could authorize such a standpoint as the Navajos were taking. As a result, the constitution was not approved.

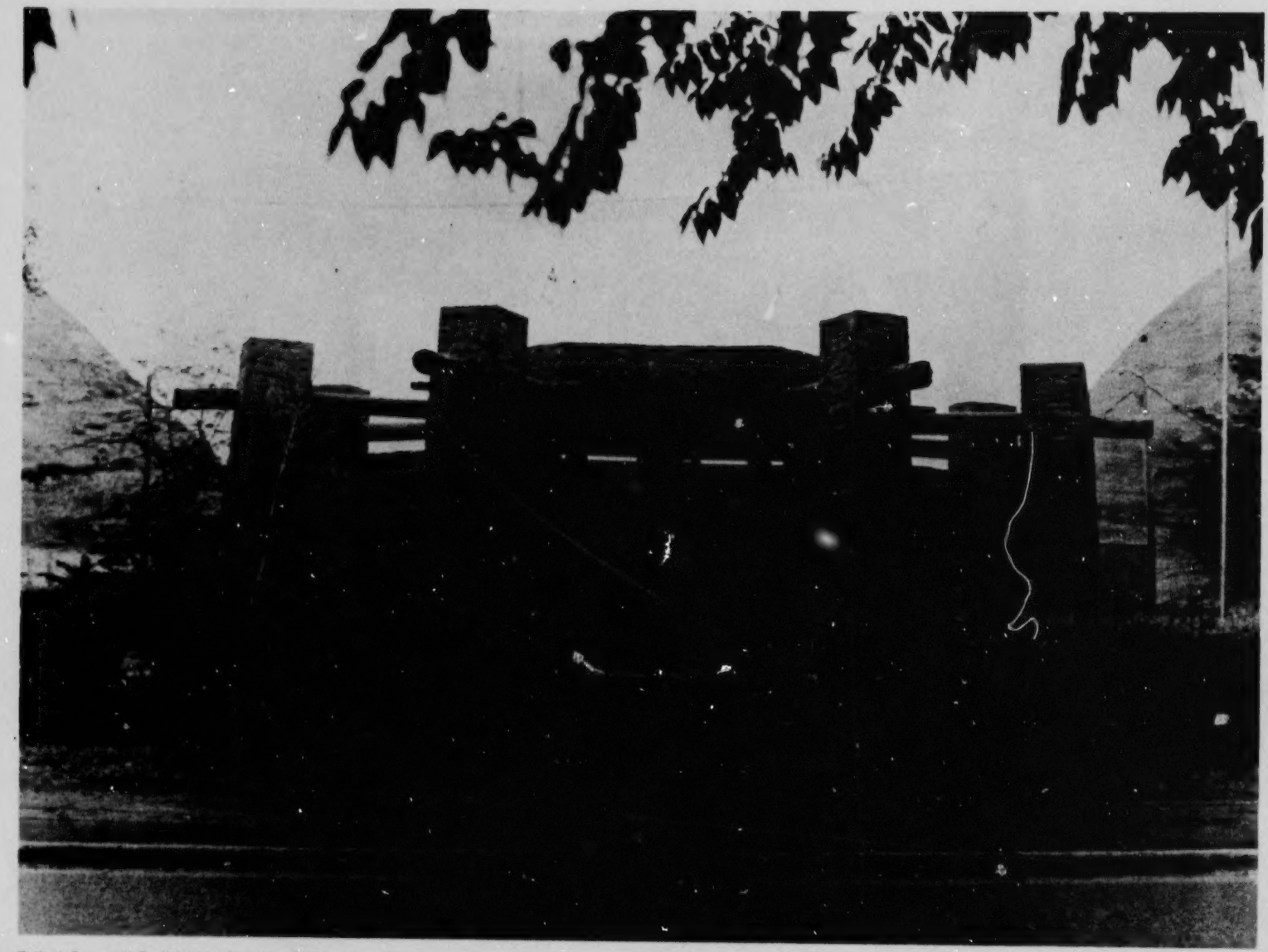
Once again, great efforts on the part of the Navajo people to establish their Tribal Government on the foundation of a constitution ended in failure.

The Advisory Committee

Since its formation as an integral part of Navajo Tribal Government the Advisory Committee has gone through some major changes. This committee serves, in effect, as the Cabinet to the Chairman of the Navajo Tribe.

Originally, the Chairman would nominate persons to comprise this committee and the Council would either approve or reject them.

These rules were modified in 1955 in order to give the Chairman a greater voice in the selection of the membership of this committee. Several political upheavals in the 1950's and 1960's provoked changes in how members would serve. 1967 rules provide that the Chairman could select the committee members and there would be 18 members to the committee.



Tribal Council Building, Window Rock, Arizona.

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Election Procedures For Chairman and Vice-Chairman

From the 1951 Revised Election Procedure the Tribe and the Federal Government shared the responsibility for conducting Tribal elections. In the fall of 1954, the Tribe became solely responsible for Tribal elections. A Tribal Board of Election Supervisors was established by the Tribal Council. It was their responsibility to plan and conduct all Tribal elections.

In the 1955 Tribal election, the first supervised by the Tribal Board of Election Supervisors, Sam Akeah and his running mate, Adolph Maloney, were not elected. Instead, Paul Jones won the election as Chairman. Scott Preston was his running mate and became Vice-Chairman.

The 1938 rules for the Tribal Council limited the Chairman to two consecutive terms but this restriction was lifted by a resolution of the Tribal Council. In 1955 this was voted on by the Navajo people and this resolution was upheld. As of today, Chairman MacDonald has been the first to serve three successive terms as Chairman. If the 1938 rules had not been amended, this would not have been possible.

In 1958, the Election Procedure was changed once again to provide for the appointment of Tribal Judges rather than their election. This amendment also provided for a Judicial Branch of the Navajo Tribal Government.

In the 1951 election, three men ran for the Office of Chairman: Sam Akeah, James Bicenti and Scott Preston. In 1955, the two candidates were Sam Akeah and Paul Jones.

In 1959, the delegates to the nominating conventions in each of the provinces nominated only one candidate to run for the Office of Chairman. This candidate was Paul Jones. The issues of that election were: the policies of the use of Tribal funds, whether or not to enforce an ordinance prohibiting the use of peyote, the role of the Tribal Attorney and the legal department in the conduct of tribal affairs. The interest in the issues was high; with only one candidate, his election was assured. Only one-half of the registered voters turned out at the polls.

In order to avoid this from occurring again in the future, the Council amended the voting ordinance. In the event that all four provinces would nominate the same candidate with no opposition, the Board of Election Supervisors would hold a joint nominating convention with all of the delegates from all the provinces at which time another candidate would be nominated to run for the Office of Chairman. Furthermore, the 1962 Amendment provided for the permanent registration of voters and the voting date was changed from March to November.

The campaign issues of the 1963 Tribal election included such items as the legalization of peyote, the Tribal Attorney, policies relating to the use of Tribal funds and the adoption of a Tribal Constitution.

Raymond Nakai challenged the incumbent Paul Jones, and led attacks on the Tribal Administration. With a voting population of 47,347, a total of 27,284 cast their ballots and elected Raymond Nakai.

The Navajo Tribal Election laws were once again revised in 1966. The qualifications for Chairman, Vice-Chairman and Council Delegate were set.

In order to qualify for nomination as Chairman, the following provisions were to be met:

(a) be at least 35 years of age
(b) be a high school graduate
(c) must have resided on the Navajo Reservation for at least four years prior to the election

Hearings concerning the JUA in the Navajo Tribal Council Chambers.

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(d) must have had experience either as a Council Member, Chapter Officer, member of a Grazing Committee, or Land Board, or have been a Tribal employee.

To meet these qualifications, it was necessary to file a Declaration of Candidacy with the Board of Election Supervisors. The four Election provinces were eliminated and the Nominating Convention for the Chairman and Vice-Chairman was centralized.

The Central Nominating Convention as it is called, is held on the fourth Monday in August in election years. The Board of Election Supervisors choose the place at which they will meet. Two candidates for the Office of Chairman are chosen.

The 1966 changes provided for the holding of special elections and established a procedure for the removal of Council Officers and members. It specified the reasons Tribal Council Members and Officers could be removed from office.

In 1968, there were additional changes to the Election Law, which included a special Election Law Revision Committee.

A Navajo Constitution — A Third Attempt

In November of 1968, the Tribal Council authorized a proposed Tribal Constitution to be distributed. This constitution included: a preamble, statement of membership requirements and a bill of rights. It divided the organization of the Tribal Government into three branches: the Executive, Legislative and Judicial.

The Executive Department was to be comprised of a President, Vice-President, Secretary and Treasurer. Their powers were set forth in the proposed constitution.

The Legislative Department was the Tribal Council. The constitution provided for all the usual powers that it would need in order to legislate laws for the Navajo People. It was subject to the laws of the United States and all regulations established by the Secretary of the Interior. The number of members of the Council were not specified, but they were to be apportioned according to population and area served. The length of term of office for the Executive and Legislative Branches was set at 4 years.

The Judiciary Department was to be comprised of the appellate court and other lower courts as to be established by the Tribal Council. However, this constitution was never adopted or approved.

This was the last time an attempt was made to adopt a constitution. Without a constitution the foundation for the Navajo Tribal Government rests on the Secretarial Rules for the Navajo Council which went into effect in 1938. These have been amended periodically through the years. When and if a Navajo Tribal Constitution is ever adopted, the constitution will then form the basis for the Navajo Tribal Government.

Tribal Development

With the increase in Tribal expenditures and the growing bureaucracy during the late 1950's and throughout the 1960's the Navajo Tribal Council was eager to enter into lease agreements with various companies in order to provide the income that the Tribal Government needed to function. In 1957, with the success of the Four Corners oil field, over thirty-three million dollars came into the Tribal Treasury that year. With this money the Tribal Council approved the "Tribal Development Program — Part I and Part II." This program provided for the expenditure of three

TABLE 3

CHAIRMEN AND VICE-CHAIRMEN OF THE NAVAJO TRIBAL COUNCIL
FROM 1923 - 1983

DATES	CHAIRMAN	VICE-CHAIRMAN
1923-28	Chee Dodge	None
1928-32	Deshna Chischillige	Maxwell Yazzie
1932-36	Thomas Dodge	Marcus Kanuho
1937-38	Henry Taliman	Roy Kinsel
1938-42	Jacob C. Morgan	Howard Gorman
1942-46	Chee Dodge	Sam Akeah
1946-50	Sam Akeah	(Chee Dodge) Zealy Tso[1]
1951-54	Sam Akeah	(John Claw) Adolph Maloney[2]
1955-59	Paul Jones	Scott Preston
1960-63	Paul Jones	Scott Preston
1963-66	Raymond Nakai	Nelson Damon
1967-70	Raymond Nakai	Nelson Damon
1971-74	Peter MacDonald	Wilson Skeet
1974-78	Peter MacDonald	Wilson Skeet
1978-82	Peter MacDonald	Frankie Paul
1983-	Peterson Zah	Edward T. Begay

NOTE:

1. Chee Dodge - elected by popular vote, but died before taking office; Zealy Tso was elected by the Tribal Council to serve the unexpired term.
2. John Claw - resigned from office to which he was elected on August 10, 1952, and Adolph Maloney was elected by the Tribal Council to serve the unexpired term.

Source: Chairman's Office – Navajo Tribe

million dollars over a period of five years for water development on the Reservation. Also, five million dollars was set aside for higher education scholarships. The interest money earned from this fund was used for the scholarships while the principal was retained.

The Tribal Government had begun in 1954 to supply clothes to school-age children so they could be properly attired for each year of attendance at school. The school children's clothing program was a major factor contributing to the success of the Navajo Education Program over the years.

Health, education and economic development have received the greatest attention by the Navajo Tribal Government over the past two decades. Establishment of Health Agencies and new health related agencies and health clinics have been accomplished. There is now a much stronger emphasis on health care and it has increased in the past few years.

A Navajo Tribal Park Division was established in 1957, in conjunction with the plans for Glen Canyon Dam near Page, Arizona, which is now Lake Powell.

A Navajo sawmill was established at Navajo, New Mexico, just north of Fort Defiance. Also, the Navajo Tribal Utility Company and Navajo Communication Company have been established for power, water and telephone services across the Reservation.

It was found, in the late 1950's, however, that all the Tribal resolutions that had been passed and all amendments to Tribal regulations, were scattered and difficult to locate and refer to. Equity Publishing Corporation was contracted to codify all Tribal enactments. This was published as the Navajo Tribal Code. It was updated periodically and is the set of laws which govern the conduct of Navajo government and the Navajo Nation.

CHAPTER 2

Navajo Chapter System

The Beginning of the Chapters — Chapter Listings by Agency — Chapter Officers and Duties

The Beginning of the Chapters

The Navajo Chapter system was actually the idea of an Anglo, John G. Hunter, the Navajo Agent of the Southern Navajo Jurisdiction. The federal government supported the formation of the Navajo Chapters in 1924-25. The purpose of the Chapters was to serve as some form of local government. Immediately, and over a period of years, Chapter Houses began to be built across the Reservation. By 1933 there were over 100 Chapters on the Reservation.

At this time Chapters would meet once each month. The Chapter Officers were elected to office by the people comprising the Chapter. The Chapter President was the presiding official in the Chapter House and was elected by a majority of the members of that Chapter.

The Chapters, through money and supplies provided by the government, began many work construction projects. Food subsidies for the Navajo people were distributed through the Chapters, as well.

Local issues were debated and local problems were solved in the Chapter Houses. Court was held in them. The government attempted to enforce the Navajo Stock Reduction program through the Navajo Chapters. The Chapter houses became centers of dispute, confrontation and resistance to Stock Reduction as Navajos would argue against Stock Reduction in the Chapter Houses. As a result, federal government support for the Chapter system waned. During the 1940's only one-half of the Chapters were in operation and those still in existence held meetings at the instigation of government officials.

When Chapters started, the Government provided supplies and equipment for community projects which could be undertaken for the benefit of all. However, there was no money for labor. Each family in the community was expected to volunteer workers to effect work project accomplishments. Usually, a foreman was elected at a Chapter meeting. His duty was to organize the labor as well as the entire project, at which time community dams or Chapter Houses were built.

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The earliest Chapter meetings were held on the ground. Those attending gathered around listening and discussing the problems or situations at hand. These first meetings were of two or three days duration. One of the first projects as previously stated was the building of Chapter houses. The most important criterion for placement of a Chapter House was that it be near a supply of water.. It must also be near the center of the area looked upon by the people as their Chapter territory. The primary function of the Chapters was to act as the political organization of the land-use community. They also provided a formal communication link between the local groups and the Indian Agents. There was no connection between the Tribal Council and the Chapters until 1954.

When Stock Reduction was forcibly introduced, starting with horses in 1937 and followed by sheep in 1943, the Chapters were the first backbone of the program. But when mandatory reduction came, the Chapters became the center of all resistance to Stock Reduction. Because of this the government's support of the Chapters all but ceased.

After 1934 the BIA no longer supported the Chapters. The Chapter Houses came into disrepair because of neglect and lack of money for upkeep of the buildings. The Navajo Tribal Council came to the aid of the Chapters in 1954 and appropriated $25,000 for the repair of existing Chapter Houses.

In 1955 the Tribal Council recognized 86 Chapters on the Reservation. Also, it budgeted $78,690 to pay the Chapter Officers for their expenses when regular meetings were held. The Chapters quickly became the center of community life once again. In 1957 the Council appropriated $2,500,000 for the constructing and equipping of Chapter Houses. It turned out that more than $3,500,000 was spent between 1958 and 1961.

The 1955 Council Resolution recognizing Chapters stated there was to be at least one Chapter organization in each precinct which elected a delegate to the Council. In 1959 new rules pertaining to the Chapter were passed. A four-year term for the Chapter President, Vice-President and Secretary was approved.

Main catagories of Chapter activities include reports on the Tribal Council, Grazing Committee and District Tribal Council meetings, community issues on school, land use, domestic relations, livestock, water, chapter elections, chapter recall, community health, recreation, school, alcohol, traders and Tribal issues such as elections, welfare, public works, emergency relief, law and order, and State and National issues.

Community issues occupy the largest segment of Chapter meeting time and discussion. The Chapter President runs the community work programs and appoints the workers to these jobs.

Before Chapters were officially introduced, there were community meetings which were arbitrated by the regional Headmen. The Honorable Howard Gorman in an interview with an anthropologist, Aubrey Williams in 1962 revealed an interesting situation:

> *When I returned to the reservation in 1926, after attending school, I was asked to record the minutes of several meetings held between the headmen of Ganado and Nazlini. These meetings were not held in any one place, but usually at a wedding ceremony or some other kind of ceremony such as a Squaw Dance. There were no fixed dates and no fixed topics unless it was a special meeting to settle such a thing as murder by witchcraft.*

The leaders in Ganado were Taayooni and Ganado Mucho's sons. They were very much like their fathers, in that Ganado Mucho's son was very mild and sought peaceful ways to settle issues; and Taayooni was hard and "angry" and wanted to take issues and do something immediately and fast. There were two leaders there but both were wise fellows though.

These leaders were selected because of their wealth, their clan and because they had the ability to see what was going to happen in the future. Some of these fellows had as many as five wives, and they all were good weavers, and you know that means lots of money coming in from weaving, wool and lambs. Taayooni was of the Totsoone clan and Ganado Mucho's son was of the Bit'ahni clan. These men had the wisdom to see what way the people should follow, thus were respected. They were headmen, and they ruled their groups, not with force, but mildly. There were five of these types of groups with headmen in the present District 17. Each of these groups were organized and held meetings. If by chance there was a dispute between these groups, a neutral ground was selected and the two groups got together and settled the difficulty. Such a meeting between Nazlini and Ganado was held when I was the "secretary" or recorder of the Ganado group in 1926. I wrote down the things that were decided, and thus we had a record.

The Honorable Howard Gorman also spoke of the beginning of the Navajo Chapters:

Yes, I was there, and all of us thought it was a good idea, for it built upon what was already present; that of organized group meetings. Hunter's ideas add some new things, such as the Robert's Rules of Order, majority voting, elected officials, and the office of Chairman. We would address these elected people as "Mr. Chairman" instead of "My Elder" or "Sha Hastoui," but the same kind of respect was meant. In the days before the Chapters, we would take up all kinds of issues, such as stealing, adultery, grazing transgressions, rape, straying sheep, as well as have trials on witchcraft and the like. The Headmen acted as judges and asked for the facts and got them too. There was no fooling around, and when he would pronounce his verdict, that was it. If he asked that a certain man or woman be present, they were brought there and the Headman sat there in front of them and asked them questions in front of the crowd. Such a decision might be that the individual had to stay indoors after dark, and not to go wandering around at nights, and if he did not do this, then he could expect severe punishment - even death.

Later, when Hunter's chapters were organized, some of this continued in the chapter organization and some of it outside. By this, I mean that if a headman was President of a Chapter then it would continue, if not it was handled by the Headman outside of the Chapter in the older way."

In the mid-1960's and through the 1970's, Navajo Chapters became the focus of grassroots social and government programs. The office of Navajo Economic Opportunity utilized the Chapters for its Community Development Program. From this impetus the Chapters became the focal point of community activities. Social, health and other Tribal programs began to use Chapters as their base in the community.

TABLE 4

CHAPTER LISTINGS BY AGENCY

CROWNPOINT AGENCY
Becenti
Lake Valley
Littlewater
Nahodishgish
Pueblo Pintado
Standing Rock
Torreon
Whitehorse Lake
Whiterock
Baca-Prewitt
Breadsprings
Casamera Lake
Chichiltah
Church Rock
Iyanbito
Manuelito
Mariano Lake
Pinedale
Red Rock
Rock Springs
Smith Lake
Thoreau
Tsayatoh
Huerfano
Nageezi
Ojo Encino
Canoncito
Ramah
Alamo
Crownpoint
Counselor

WESTERN AGENCY
Leupp
Tolani Lake
Chilchinbeto
Dennehotso
Kayenta
Oljato
Coppermine
Kaibeto
Lechee
Tonalea
Inscription House
Navajo Mountain
Shonto
Bodaway/Gap
Cameron
Coalmine Mesa
Tuba City
Bird Springs

SHIPROCK AGENCY
Mexican Water
Rock Point
Sweetwater
Teec Nos Pos
Aneth
Two Grey Hills
Red Valley
Sanostee
Sheep Springs
Shiprock
Burnaham
Nenahnezad
Fruitland
Red Mesa
Beclabito
Hogback
Cudeii
Nataani Nez

FORT DEFIANCE AGENCY
Dilkon
Indian Wells
Jeddito
Teesto
Whitecone
Coyote Canyon
Mexican Springs
Naschitti
Crystal
Fort Defiance
Houck
Oak Springs
Red Lake
St. Michaels
Sawmill
Tohatchi
Twin Lakes
Cornfields
Ganado
Greasewood
Kinlichee
Klagetoh
Steamboat
Wide Ruins
Lupton
Low Mountain

CHINLE AGENCY
Hard Rock
Pinon
Tachee/Blue Gap
Chinle
Many Farms
Nazlini
Tselani
Lukachukai
Round Rock
Tsaile/Wheatfield
Rough Rock
Black Mesa
Forest Lake
Whippoorwill

By 1959, not only had the Tribe begun to appropriate money to the Chapters, but also set Chapter election rules for Chapter offices.

The Chapters increased in numbers and by 1976 there were 102 Chapters in Navajo country. Presently, there are 107 Chapters and another, Cove, hopes to be the 108th Chapter, as witnessed by this article from; the July 23, 1981 issue of the Navajo Times.

COVE HOPES TO BE 108TH CHAPTER

Red Valley — Residents of Cove, a small community within the Red Valley Chapter, think that it is time they had their own chapter.

Cove residents last week appeared before members of the advisory committee of the tribal council and asked for their support. The committee voted 12-0 to give them this support.

According to a resolution approved by the committee, the Cove community is a separate and distinct entity within the chapter. Because of the topography of the region, Cove residents said that it was difficult for them to attend meetings held at the Red Valley Chapter.

Cove residents also claimed that there are enough residents in the Red Valley Chapter to support the split. According to the 1980 census, the chapter contains 1,460 Navajos and six non-Navajos.

The matter now goes to the entire council for a vote. If approved, Cove will become the 108th chapter on the reservation.

CHAPTER OFFICERS AND DUTIES

The following information is taken from the Navajo Nation Chapter Election, published by the Navajo Tribe, 1979 edition, pages 5-9.

4004 CHAPTER OFFICERS

1. *Each Certified Chapter shall have an elected President, Vice-President, and Secretary-Treasurer.*
2. *Following each election, all persons elected to the offices of President, Vice-President, and Secretary-Treasurer of the Certified Chapters shall be installed in office at noon on the first Saturday in October.*
3. *The term of office for each Chapter office shall be four (4) years and there shall be no limit on the number of times a President, Vice-President and Secretary-Treasurer can be re-elected.*

4005 REMOVAL ON PETITION OF VOTERS

1. *Any Chapter officer will be automatically removed from office on any one of the following grounds:*
   a) *Insanity, when judicially or medically determined.*
   b) *Conviction of a felony and exhaustion of any appeals.*
   c) *Conviction of embezzlement or misuse of Chapter funds or property.*

2. *Any Chapter officer will be subject to a removal hearing if 50% of the registered voters in any Chapter petition for the officer's removal for any of the following reasons:*
   a) *Habitual failure to attend Chapter activities or attend to Chapter business.*
   b) *Misuse of alcoholic beverages.*
   c) *Any other reasons which, in the opinion of the Chapter are appropriate grounds for removal.*
3. *The removal petition shall be submitted to the Board of Election Supervisors for verification of signatures. If there are sufficient valid signatures:*
   a) *The Board of Election Supervisors shall notify affected Chapter officials.*
   b) *The Board of Election Supervisors shall schedule a hearing at the affected Chapter at which both the affected official and the signers of the petition shall have the opportunity to present their case.*
   c) *At the conclusion of the hearing, a secret ballot shall be taken to determine whether or not the official shall be removed.*
   d) *A majority vote of those present and voting shall be required for removal.*
4. *No removed Chapter officer shall be eligible to run for Chapter office again for at least five (5) years from the date of his removal.*

4006 FILLING VACANCY

In the event of the death, disability, ineligibility, resignation or removal of an officer from the Chapter, his or her office shall be declared vacant by the Board of Election Supervisors, which shall cause a special election to take place to fill said vacancy for the remainder of the unexpired term.

4007 COMPENSATION OF CHAPTER OFFICERS

The President, Vice-President and Secretary-Treasurer of the Certified local Chapter shall each receive compensation, as prescribed by the Budget and Finance Committee and the Navajo Tribal Council, for their attendance and service and not to exceed two Chapter meetings per month of the Chapter of which they have been elected officers.

4008 POWERS AND DUTIES OF CHAPTER OFFICERS

1. *The President shall preside at all official meetings, have the power to call meetings with the consent of the other officers, direct and supervise Chapter personnel, attend Tribal meetings, and represent the Chapter as called up to do so.*
2. *The Vice-President shall assist in carrying out the duties of the President as the President shall direct and shall perform the duties of the President in case of the absence or disability of the President.*
3. *The Secretary-Treasurer shall prepare written minutes or reports of every Chapter meeting, shall prepare Chapter resolutions, financial statements and correspondence and shall be the Treasurer of all Chapter funds.*

4. *The Chapter officers shall have the duty to formulate and define the policies of the Chapter with the guidance and direction of the Chapter community.*
5. *The Chapter officers shall supervise Chapter accounts and maintain proper accounting procedures, shall on behalf of the Chapter purchase equipment and supplies, and shall cause studies to be prepared evaluating Chapter projects and needs.*

4009 CHAPTER MEETING

1. *A quorum of 25 or more registered voters must be present for a Chapter meeting to be official.*
2. *Official actions of the Chapter shall be taken in open session and all meetings of the Chapter are open to the Navajo residents of the community. Chapter officials may go into closed or executive sessions to conduct personnel discussions.*

401 ELECTION DATE FOR CHAPTER OFFICERS

The regular elections of local Chapter officers shall be held the first Tuesday in September of 1979 and every four (4) years thereafter.

402 QUALIFICATIONS FOR CHAPTER OFFICERS

1. *Candidates for Chapter President, Vice-President and Secretary-Treasurer.*
   (a) *Must be registered voters of the Chapter and be on the census roll of the Bureau of Indian Affairs.*
   (b) *Must be 22 years of age at the time of election.*
   (c) *Must have established a good background and shall not have been convicted of a felony within the five (5) years preceding the date of election.*
   (d) *Must have an understanding of Tribal Governmental affairs.*
2. *The Secretary-Treasurer must be a High School graduate.*
3. *Chapter officers shall not at the same time serve as members of the Navajo Tribal Council, Land Board members or Grazing Committees.*
4. *Any Chapter officer who is currently employed by the Navajo Nation, Federal or State Government or any private organization shall not let such other employment interfere with performance of his or her duties as Chapter officer.*

403 NOMINATION OF CHAPTER CANDIDATES

1. *Qualified candidates for Chapter President, Vice-President and Secretary-Treasurer shall be nominated as follows:*
   a) *Nomination meetings shall be held on the second Saturday in July, following each Navajo Nation General Election year for the purpose of nominating two qualified persons to run for each of the offices as Chapter President, Chapter Vice-President, and Chapter Secretary-Treasurer.*
   b) *The President of each Certified Chapter shall call the Nomination Meeting to order and shall serve as Chairman of such meeting. If the Chapter President is renominated as a candidate, then any Chapter officer not renominated as a candidate shall*

serve as Chairman. In the event that all Chapter officers are renominated as candidates, then the Chapter will appoint a Chairman and Secretary of the Nomination Meeting.

c) Nominations for each office shall be made from the floor, and the Chairman shall allow any number of nominations for each office. The two top choices of the Chapter, as shown by a show of hands at the Nomination Meeting, shall be certified as candidates for said office. Nominations for the office of President shall be completed before nominations are opened for Vice-President, and nominations for Vice-President shall be completed before nominations are opened for Secretary-Treasurer.

d) The Chairman of the Nomination Meeting shall certify candidates duly nominated as provided herein above and shall file a list of certified candidates with the Board of Election Supervisors within five (5) calendar days following the Chapter nominations.

404 REGISTRATION OF CHAPTER VOTERS

1. A permanent roll of qualified voters registered in each Chapter shall be maintained by the Board of Election Supervisors. Such rolls shall be kept in the office of the Board of Election Supervisors in Window Rock, AZ.
2. Voter Registration for Chapter Elections shall close thirty (30) days prior to the regular Chapter election.

405 VOTING PROCEDURES

1. Each voter registered in the local Chapter shall be entitled to cast one vote for each office for which there is a candidate running in that Chapter. It shall be the duty of the Board of Election Supervisors to determine each voter's eligibility to vote in Chapter Elections.
2. The ballots in each Chapter shall list the names of persons that are certified by the Chapter nomination meeting's Chairman and Secretary and having filed a candidacy report with the Board of Election Supervisors who shall prepare all ballots for the Chapter Election.
3. Voting shall be by secret ballot and it shall be the duty of the Board of Election Supervisors to maintain the fairness and regularity of all voting procedures.
4. On Election Day, voting shall begin at 8:00 A.M., and shall end at 7:00 P.M. All voters present at the polling places by 7:00 P.M. shall be allowed to vote. Any person who is not allowed to vote may appeal to the Board of Election Supervisors within ten (10) calendar days.

406 Counting Votes

1. At the close of the Election, the Election judges at each polling place shall tabulate the results of the balloting, place and lock all ballots and poll books in the ballot boxes, and transmit the results of the balloting to the Office of the Board of Election Supervisors at Window Rock, AZ by telephone or radio communications.

2. *The candidates receiving the highest number of votes for President, Vice-President and Secretary-Treasurer of the local Chapter shall be the elected officials of said Chapter.*

407 APPEAL OF DISPUTED CHAPTER ELECTION

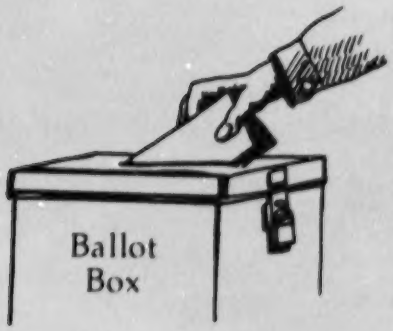
1. *A disputed election of any office in a Chapter shall be appealed in writing within ten (10) calendar days following the election to the Board of Election Supervisors by the aggrieved candidates.*
2. *The Board of Election Supervisors shall issue rules and regulations regarding how such disputes shall be handled, and shall, pursuant to such rules and regulations, issue a decision upholding or vacating the disputed Chapter Election.*
3. *A decision of the Board of Election Supervisors upholding or vacating a disputed Chapter Election may be appealed within ten (10) calendar days to the Court of Appeals of the Navajo Nation.*

408 CERTIFICATION

Not less than ten (10) days following each Chapter Election the Board of Election Supervisors shall certify the Chapter officers - elect and submit the names to the Chairman of the Navajo Tribal Council.

CHAPTER 3

Navajo Suffrage



Citizenship — Right To Vote — Excerpts From the Election Law Of The Navajo Nation

Citizenship

Citizenship was granted to all Indians by an Act of Congress in 1924. However, citizenship did not give the Indians the right to vote on any issues other than their own affairs.

In Arizona Indians were not qualified to vote because of the provision of the Arizona Constitution which stated that "no persons under Guardianship, non compos mentis, or insane, shall be qualified to vote at any election." The Arizona Indians were considered, by Arizona courts to be under guardianship.

In November of 1928 the question of the legality of the guardianship clause arose in a case heard before the Arizona Supreme Court, Porter vs. Hal. The Court ruled that Indians were not capable of handling their own affairs and that they were under the guardianship of the Federal Government.

The question of guardianship arose again in 1948 in the case of Harrison vs Laveen. Frank Harrison and Harry Austin sued Roger Laveen, the Maricopa County recorder, who had refused them permission to vote on the grounds that they were wards of the Federal Government. The Arizona Supreme Court reversed the decision of 1928 and gave voting rights to all Indians.

Right To Vote

By 1955 the Navajos conducted their own elections. Before this all elections were conducted by the BIA. The Board of Election Supervisors was established in 1966. This Board was created to accomplish the following:

1. Revise existing election procedures for Chapters.
2. Train and advise election officials of their responsibilities to guarantee Navajo voters' rights.
3. Educate the Navajo people about their voting rights and importance of exercising their rights to vote.

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The Tribe has its own election laws. They are published in the 1978 edition as "Navajo Tribal Code Title II, Election Law of the Navajo Nation." The following are excerpted from that publication.

T.11. 1.& 2: QUALIFICATIONS FOR CHAIRMAN, VICE-CHAIRMAN *AND MEMBERS OF THE NAVAJO TRIBAL COUNCIL; FILING DATE*

A. Qualifications for Chairman and Vice-Chairman are:

(1) Must be a permanent resident at least four (4) years prior to election on the Navajo country or on lands controlled by the Navajo Tribe.

(2) Must be a member of the Navajo Tribe and be on the Agency Census roll of the Bureau of Indian Affairs.

(3) Must be at least thirty-five (35) years of age at the time of election.

(4) Must be able to speak and understand Navajo and read and write English. (NTC Res. CJY-70-74, T.11. 1. & 4 A (4): passed July 8, 1974).

(5) Must have served as a Council member or Chapter officer or Grazing Committee member or Land Board member or within the Navajo Tribal organization.

(6) Must have established a good background and shall not have been convicted of a felony within the last five (5) years.

(7) Must have unswerving loyalty to the Navajo Tribe and must uphold the oath of office.

B. Filing-Declaration of Candidacy.
Candidates for office of Chairman of the Navajo Tribal Council who meet these qualifications must file their Declaration of Candidacy with the Board of Election Supervisors on the second Monday of July of the election year.

C. Qualifications for Members of the Navajo Tribal Council:

1. *Must be at least (30) years of age.*
2. *Must be on Agency Census roll of the Bureau of Indian Affairs.*
3. *Must have established a good background and shall not have been convicted of a felony within the last five (5) years.*
4. *Must maintain unswerving loyalty to the Navajo Tribe and must uphold the oath of office.*
5. *Must be a registered voter in Chapter or Election Community from which elected.*
6. *Must have an understanding of the Tribal Governmental affairs.*
7. *Candidates elected, who are employed by the Navajo Tribe, must resign from such employment before taking the oath of office and shall not be employed by the Tribe during their term of office.*

T.11. 1. & 3: ELIGIBILITY OF VOTERS

All members of the Navajo Tribe who are enrolled on the Agency Census roll of the Bureau of Indian Affairs shall be eligible to vote in Tribal elections after they have reached the age of eighteen (18) years, provided they have previously registered for voting as set forth in Section 4 below. (NTC Res. CMA-32-74, T.11. 1. & 3: passed March 20, 1974).

T.11. 1.& 6: BOARD OF ELECTION SUPERVISORS

A. The Board of Election Supervisors of the Navajo Tribe is hereby established as a continuing body having the duty of maintaining the register of voters of the Navajo Tribe, of conducting all Tribal elections, general and special, for the purpose of choosing a Chairman, Vice-Chairman, Members of the Navajo Tribal Council, and of deciding disputes arising in connection with Tribal elections.

B. The Board shall consist of ten (10) members who are appointed by the Chairman of the Navajo Tribal Council with the concurrence of the Navajo Tribal Council. Two (2) members shall be selected from members of the Tribe residing in each agency. The Chairman shall appoint members of the Board from a list of qualified persons nominated by the agency council, such nominations to consist of not less than three qualified persons for each vacancy. The Chairman of the Board shall be selected by the Chairman of the Navajo Tribal Council from among the members of the Board. (NTC Res. CMY-42-78, T.11. 1. & 6 (B): passed April 26, 1978).

C. The Chairman of the Navajo Tribal Council, with concurrence of the Navajo Tribal Council, shall fill the vacancies occurring in the Board of Election Supervisors. The person appointed to fill any such vacancy shall serve until the normal expiration date of the term of his predecessor. When the Navajo Tribal Council is not in session, the Chairman of the Navajo Tribal Council may fill any such vacancy by appointing some person to hold office until the next session of the Council.

D. The Chairman and any member of the Board of Election Supervisors may be removed from office only by the Navajo Tribal Council.

T.11. 1. & 8: CHAPTER MEETINGS — NOMINATION OF CANDIDATES FOR NAVAJO TRIBAL COUNCIL
(NTC Res. CJN-49-78 T.11 1. & 8: passed June 5, 1978)

A. In each Chapter, a meeting shall be held on the second Monday in July of each election year and shall continue for as many days as are necessary to accomplish the business of this meeting. The Chapter President shall serve as Chairman of this meeting.

B. Such meetings shall be for the purpose of nominating the Chapter candidate(s) for office of member(s) of the Navajo Tribal Council from the election community of which that Chapter is a part.

1. *The Chapter in each election community consisting of a single certified Chapter shall be entitled to nominate two more persons for the office of member of the Navajo Tribal Council than that election community is entitled to elect.*
2. *Each Chapter in an election community consisting of two certified Chapters shall be entitled to nominate one more person for the office of member of the Navajo Tribal Council than that election community is entitled to elect.*
3. *Each Chapter in an election community consisting of three or more certified Chapters shall be entitled to nominate the number of persons for the office of member of the Navajo Tribal Council than that election community is entitled to elect.*

T.11. 1. & 9: PRIMARY ELECTION
(NTC Res. CJN-49-78, T.11. 1 & 9: passed June 5, 1978)

A. A Primary Election shall be held on the second Tuesday of August of each election year. Polling places for the primary election shall be as set forth in Title 11. 1. & 16:

B. In the primary election, each elector shall be entitled to cast one vote for that person's choice among the candidates for the Office of Chairman of the Navajo Tribal Council. The vote shall be by secret ballot. Only electors registered to vote in the Chapter may vote in such elections and it shall be the duty of the Chief poll judge to determine the eligibility of the electors present. The ballot in each polling place shall list the persons having filed a declaration of candidacy for the Office of Chairman, Navajo Tribal Council, and the person or persons who have been nominated for the office of member of the Navajo Tribal Council in the election community for which the ballot is prepared.

C. The candidate receiving the highest number of votes for Chairman, Navajo Tribal Council, and the candidate receiving the next highest number of votes for Chairman, Navajo Tribal Council, shall be the candidates for Chairman, Navajo Tribal Council, in the General Election.

D. In each election community that elects one Council Delegate, the two candidates receiving the highest number of votes shall be the candidates for Council Delegate in the General Election. In each election community that elects two Council Delegates, the three candidates receiving the highest number of votes shall be the candidates for Council Delegate in the General Election. In each election community that elects three Council Delegates, the four candidates receiving the highest number of votes shall be the candidates for Council Delegate in the General Election.

T.11. 1.& 10: SELECTION OF VICE-CHAIRMAN

The candidates for the Office of the Chairman of the Navajo Tribal Council shall within five (5) days after the end of the Primary Election each name a running mate for the Office of Vice Chairman of the Navajo Tribal Council. The names of the candidates for the Office of the Chairman of the Navajo Tribal Council, together with each candidate selection of his running mate for the Office of Vice Chairman of the Navajo Tribal Council, shall be entered on the ballot and be voted upon as a single ticket. (NTC Res. CJN-49-78, T.11.)

TITLE 11, ARTICLE 5
Removal
T.11. 5. & 1: SUBJECT TO REMOVAL

Chairman, Vice-Chairman and all members of the Navajo Tribal Council are subject to removal in the following manner:

A. For a just cause:
   1. Insanity, when judicially or medically determined.
   2. Conviction of a felony
   3. Council members failing to attend Council meetings for one (1) year.
   4. Chairman or Vice-Chairman absent for three (3) consecutive months without permission of Navajo Tribal Council.
   5. Habitual indulgence in alcoholic beverages.

B. Such official can be removed by at least two-thirds (2/3) vote of the Navajo Tribal Council.

T.11. 5. & 2: PETITION FOR REMOVAL

The Navajo Tribal Council can also remove said officials if more than fifty (50) percent of registered electors from his election community sign a petition demanding the official's removal, provided the causes are just. The Board of Election Supervisors shall be responsible in seeing that all signatures are valid.

T.11. 5. & 3: FILLING OF A VACANCY

A. Chairman or Vice-Chairman of the Navajo Tribal Council:
   The Navajo Tribal Council shall elect a Chairman or Vice-Chairman to fill out the unexpired term either from its membership or anyone who fills the qualifications and who they believe can do the work required.

B. Member of the Navajo Tribal Council:
   A special election shall be called as provided for in Article 4.

T.11. 5. & 4: ELIGIBILITY OF A REMOVED OFFICIAL

Any removed official will be ineligible to run for office again for at least five (5) years.

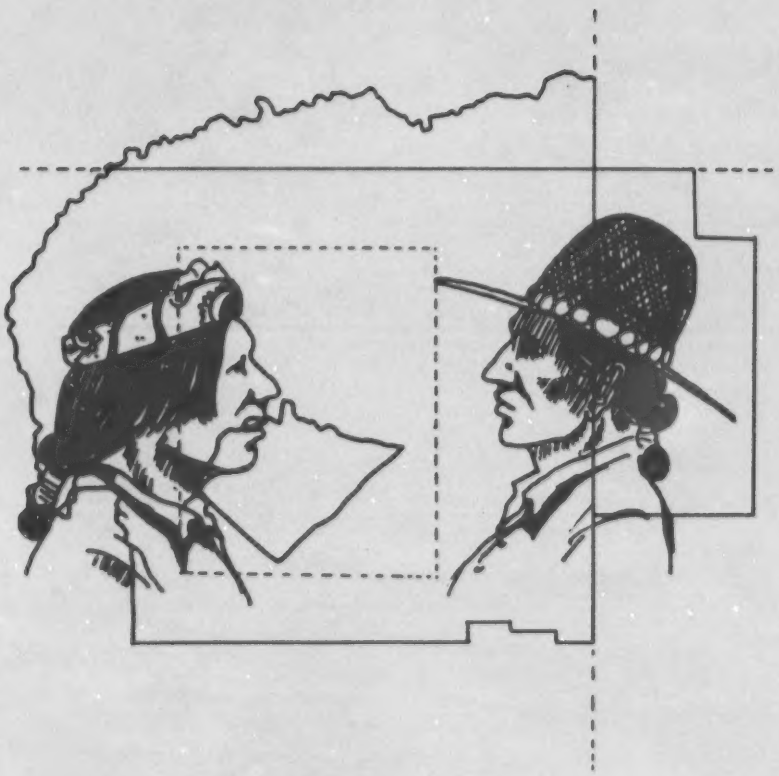
T.11. 8. & 5: LIMITATION ON EXPENDITURES BY OR ON BEHALF OF CANDIDATES

A. The following sums shall be the maximum amounts which may be expended by or on behalf of any candidate in any Navajo Tribal election. When anything of value other than money is expended or used by or on behalf of any candidate, it shall be considered as equivalent to money at its fair cash value. Necessary personal, traveling or subsistence expenses of any candidate himself shall not be included in the limitation and need not be reported. (NTC Res. CMA-32-74 T.11. 8. & 5, passed March 20, 1974).
   1. For the Office of Chairman and Vice-Chairman (combined sum), (.50) fifty cents for each registered voter.
   2. For the office of council delegate (.50) fifty cents for each registered voter within the election community.

B. Where radio or television time is donated or offered on an equal basis to all qualified candidates for any particular office, the value of such time shall not be included in the above limitations or expenditures but shall be reported by or on behalf of each candidate receiving the same, without assigning any cash value thereto.

Unit 2

JUA ONEO DNA



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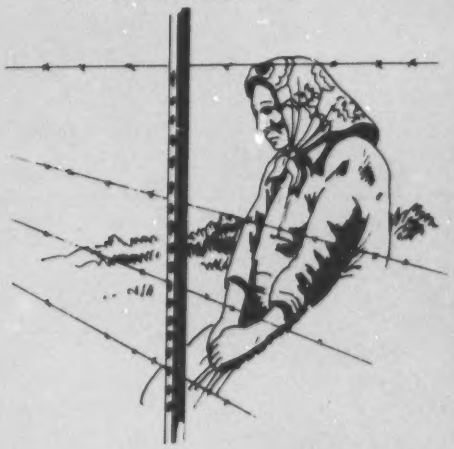
CHAPTER 4



The Joint Use Area

Navajos Forced To Move — Chronology Of Important Events — Personal Statement — Teesto Chapter — Hopi: Viewpoints — History Of The Joint Use Area — Legislation and Judicial Decisions — Current Tribal Efforts

Navajos Forced to Move - Personal Statements

Navajos are speaking out regarding their pain over forced livestock reduction and family relocation. They want the public and the Congress to be aware of this pain. Mere benefits in return for their suffering mean little. The Tribe has offered to purchase the land given the Hopi which Navajos have lived on for generations.

In a booklet published by the Navajo Tribe in May of 1981 and written by and for the people of the Teesto Chapter in the former Joint Use Area, the following personal stories are taken:

My name is Cecil Miles, Sr., I am 64 years old and a veteran. I am of the "Black Streak Wood People" Clan (Tsinaajinii) and born for the "Cliff Dweller People" Clan (Tsenjikini).

Like my wife Eleanor and the people I am presently residing with, I am against relocation of any kind. I have a right to stay on my land and no Hopi is going to tell me to sell my home and get rid of all my livestock.

Because I believed in my country and because I wanted to protect my homeland, I volunteered for active duty to serve in the Army and fight the Japanese during World War II.

I did not fight in strange countries to give up my land. I felt a patriotic duty; that is why I served in Panama Canal, New Zealand, Australia, New Guinea, the Phillippines and Korea. In 1943 I was shot and wounded. When I recovered from my wounds, I went back and fought the Japanese some more until I came home in 1945 after the war was over.

When I took the oath to defend my country, my mind was on my homeland, and to this day I will never forget all the battle fatigue and misery I encountered defending my country.

I am working for the Public Health Service and am still helping my people in time of illness.

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TABLE 5

A Chronology of Important Events in the Land Dispute

1882 —

President Chester A. Arthur issues an executive order setting aside 2.5 million acres around the Hopi Mesas for the Hopis and "such other Indians as the Secretary of the Interior may see fit to settle thereon."

1891 —

Navajo-Hopi boundary conflicts are reported to have been brought to "a satisfactory conclusion" with the establishment of a 519,000 acre area for the Hopis.

1920 —

The area of Hopi use is reported to be less than 384,000 acres.

1931 —

The commissioner of Indian affairs and Secretary of the Interior says "a reasonable area of land" should be reserved for exclusive Hopi use.

1936-43 —

Grazing District Six is set aside for Hopi use; subsequent expansion to 650,013 acres forces the first relocation of Navajo families.

1958 —

Congress passes legislation authorizing a lawsuit to determine ownership of the 1882 Reservation.

1962 —

A special three-judge Federal Court rules that 1.8 million acres of the 1882 Reservation are owned jointly by the two tribes. This area becomes known as the Joint Use Area. A year later the Supreme Court summarily affirms the District Court decision.

1972 —

The District Court in Arizona orders drastic Navajo livestock reduction to allow for Hopi use of half the JUA range; the order also bars Navajo construction in the JUA.

1974 —

Congress passes the PL 93-531, the Navajo-Hopi Land Settlement Act, providing for equal partition of the JUA and the relocation of members of one tribe living on land partitioned to the other.

1977 —

The District Court in Arizona partitions the JUA; Navajo appeal delays effective date of partition to April 18, 1979.

1981 —

P.L. 96-305 passed providing that Navajos will be given 250,000 acres of public land; 150,000 acres Navajos can purchase; more liberal Life Estate provision and upgrading and improvement of JUA area.

1986 —

Relocation from the former Joint Use Area is to be completed.

Source: Kammer, *The Second Long Walk*

Each day I pray to the Holy People so that we may remain on our own land. I am not willing to vacate my home I built for my children. I earned my place, my homeland, that is why I returned from the war unhurt.

Tom and Emma Bahe

My name is Emma Bahe. My husband is Tom Bahe. He is of the Red-Streak Tobacco Clan and I am of the Tower House Clan (Kinyaa aanii).

We are both born in District Six area around Jeddito and Keams Canyon. We are presently residing northwest of Star Mountain.

This is the FOURTH time we have been told to move from our homeland. This time our land is not the Hopis' land, it is just plain greed — they want us to leave our homes.

The first time we were forced out of our homes was when our relatives were living on top of Talahogan, (Talahooghan) Mesa, southwest of the now Keams Canyon. Our parents did not protest and they moved to Blue Clay Point (Bisdootl'izhdeez'ahi) south of Talahogan Mesa. We were there a few years when again, the Hopis were forcing people to move. This time they were fencing in District Six, this was the second time.

The moving was very difficult since the logs were dragged several miles by horses to the new location. No one protested the move because the Hopis told us if we resisted we would go to jail.

Our tribal livestock permits were not valid anymore and we were told to buy Hopi livestock permits. Most of our livestock was taken from us because we could not afford to pay for each head in cash. With our small herd of livestock, we moved.

In 1943 or so the Hopis ordered us off the land again. This time we were told to move across the Jeddito Wash. Because nobody wanted to spend time in jail, we moved again. This was the third time we had to be moved again.

Today, once again the Hopis want us off our land. I am resisting this move because it is not right for members of one tribe to continually ask those of another tribe to move whenever they feel like they want more land.

We are old now; we have always abided by the law. This time this law is inhumane. I have lost my entire life holdings of my livestock, I have been placed in a terrible position. This is my land. I am staying on it.

To some Navajos, as well as almost all Anglos, the Joint Use Area (JUA) has little or no meaning. But to many Navajos who live on or come from the Joint Use Area this is an issue which conjures up deep emotion, fear and bitterness.

A book, recently published by the University of New Mexico Press and written by Jerry Kammer, details well the history and conflicts concerning the JUA. The title of this book, *The Second Long Walk,* symbolizes the hurt which many Navajos face as a result of the judicial decisions and the legislation passed by Congress which dictates that thousands of Navajos must give up their livestock, lands and homes and be relocated in order to give the Hopi possession of the land.

The problems between the Navajo and Hopi on the JUA began with the establishment of the Hopi Reservation in 1882.

Many Navajos do not realize that Stock Reduction has been very much alive and inflicted upon the peoples in the JUA. The goal of the government concerning livestock reduction in the JUA has been to reduce the number of grazing animals to one-half of the carrying capacity, as established by governmental statistics. This also helps provide incentive for the Navajos to leave the JUA by reducing their herds. Most all the Navajos living within the JUA earn their living from livestock.

The following is a statement by the Teesto Chapter concerning the relocation of Navajos on the JUA.

CONCLUSION BY THE TEESTO CHAPTER COMMUNITY

The Navajo community of the Teesto Chapter has been inhumanly and drastically affected by the 1964 enactment of Public Law 93-531. More recent legislation, Public Law 96-305 cuts even deeper into existing wounds that have crippled our community since Relocation began.

The human frustration inherent in these laws, the shock and adverse impact of relocation falls on a people already suffering from bureaucratic manipulation and human injustice that makes a mockery of the constitutional rights of each human being.

The injustice blemishes our sincere belief in a democratic society and the value of human life.

In the name of human decency the U.S. Congress must re-examine the misery and suffering of thousands of Navajos and must at least attempt to redress the damage done to our people in this community.

The Relocated Commission's "Report" and "Plan" for Relocation now being put before Congress is not complete. It does not even begin to cover the adverse impact on communities affected by Relocation.

Congress must be made aware of the tremendous costs that Relocation will impose on the American people at large, as well as of the individual pain felt by the Navajo relocatees. The estimated cost of relocating more than 6,000 Navajo people from their homeland is said to be more than $250,000,000. With inflation sure to increase the estimate even further than $250,000,000, is a totally unjustifiable expense. The cost of Relocation as a solution to the Navajo-Hopi Joint Use land area must be put into perspective.

This monetary cost of Relocation to the people of Teesto Chapter, to the U.S. Government and to the American people is not nearly as significant as the human suffering the Relocation "Plan" will cause.

The Relocation Commission's "Plan" is not at all comprehensive. It deals not at all with the human costs and sacrifices our people will endure as it is put into effect. Relocation has already created a trail of death, a trail of social, cultural and religious deterioration and economic decline -- all of this withering a once vital community. It is not possible to "document human impacts" and to put a price tag on the lives of People. No amount of money can pay for all of the human damages for which Congress must assume full responsibility.

The costs -- both economic and spiritual -- are outrageous. Those that have already suffered the most are the uneducated, the elderly physically disabled and the stress continues to build. "Reports" and "Plans" do not even consider the very roots of our cultural, traditional

and religious beliefs. Our elderly community members are our historians. They are the link to our past. In these people are the culture and the legends of the old. By seperating them from their grandchildren the young Native people are destroyed.

The future of our people and the lives of our people stem from the older people's strength and knowledge of our culture and our religion. Our philosophy is based on primal laws of nature and the will of the Great Spirit. We live in harmony with our elders, the land, the Earth, and the Sky. To propose to obliterate these beliefs and these spiritual ties with the elders and with our land is a crime.

The "Report," the "Plan" of the Relocation Commission does not even mention that our land is sacred to us. All of our mountains that surround our homes, the four sacred mountains are symbolic of our first home.

Because the land is sacred, and because our traditional land holdings are spiritual shrines, hundreds of our men and women have gone forth to defend the United States during World War I, World War II and in the conflicts of Korea and Vietnam. Many of these have returned home mentally and physically disabled. Many of these young men paid the supreme price of death in defense of their homeland.

In the Navajo way, once you have fought and are victorious in battle, you have secured your home. The warrior is praised and honored and secure. By forcing veterans from their own land, the Government has declared war on these same veterans and their families, and have made a mockery of our belief and our traditional values.

We have much personal evidence to show the detrimental effect that Relocation has already had on us. Before Congress can justify a Relocation of citizens of such magnitude, it is the sincere hope and belief of this small community of the Teesto Chapter that all alternative measures be considered.

We only ask Congress to make a monetary settlement with the Hopis, instead of moving so many people from the land they have settled and used for hundreds of years.

By insisting on Relocation as a solution, the U.S. Government is using a double standard, and is favoring the Hopi Tribe. In its own dealings with Native Americans in other areas of the United States, the government HAS NOT imposed Relocation on U.S. citizens.

It seems the only solution to be fair and just under the law. The Hopis must be monetarily compensated for the land that they and the courts say belong to them, but has been and is being used by us.

Relocation Is Not Working.

The Government must realize that many oppose Relocation of any form, regardless of the price the Government is willing to pay them to move.

The Hopi leaders see the situation far differently. They feel that the land around their Reservation was never meant for anyone other than the Hopi. They feel the Navajo have stolen their land and encroached upon it. The Hopi feel they need their land for their own grazing of cattle, for the expansion of the Hopi Tribe and for the mineral wealth which lies below the surface of the land in the form of coal.

The following is an article from the May 24, 1981 Denver Post.

FOR HOPIS, GOAL WILL BE FULFILLED

Oraibi, Ariz. — Abbott Sekaquaptewa, 51, chairman of the tribal council of the Hopi Independent Nation, rubbed his aching legs as he leaned back in his chair and spoke of his lifetime effort to win back traditional tribal lands from encroaching, nomadic Navajo tribesmen.

Sekaquaptewa, crippled by arthritis since childhood, walks with the aid of steel crutches, rarely wears a necktie on the reservation and presents his case quietly, almost hesitantly

He is convinced that right is on his side.

He has met Peter MacDonald, his primary opponent and chairman of the tribal council of the Navajo Nation, at least four times and says MacDonald is loose with facts and unwilling to make compromises.

"During a TV debate he used two sets of figures within the space of five minutes. We sat down in a motel room about 18 months ago for six or seven hours. It didn't do any good. Apparently he isn't in any position to make any kind of commitment.

On the whole, though, Navajos are using the same illogical arguments to which they've turned for decades in trying to block the relocation of 9,000 Navajos from Hopi lands, and haven't offered anything new.

"It is not right," Sekaquaptewa said, "that a numerically superior society through violent methods and intimidation should move in and take away our property without regard for the rights of another people. That's what has happened here.

"I've spent a whole lifetime watching my tribe battle from the depths of despair. We've been treated as a non-entity....a people without a right to have a voice."

He said Navajos, who are traditionally nomadic sheep herders, have occupied 2 million acres of Hopi treaty lands since 1882 and drove Hopi off the land whenever they found them — stealing their livestock, destroying their fencing, intimidating them physically and stealing whatever else they could find.

"It is unbelievable how these things happen. You'd expect that once the tribes became acquainted, these things would stop....but they don't.

"It isn't the law that runs the reservation. It is threats of violence and political power. The BIA (Bureau of Indian Affairs) in Washington knuckles down to the Navajo," he said, adding that the Navajo, as the largest American Indian tribe, wield tremendous political power.

He disagreed sharply with Navajo contentions that the Hopi are traditional cliff dwellers and suggestions that Hopi religious prophecies — which govern much of their lives — warn against moving off the mesas.

The Hopis moved to the mesas for their own protection after driving the Spanish off in a bloody revolt 300 years ago, he said.

"The white man and the Navajo believe we always lived on the mesas. By the time they arrived, we were living there, but their conclusion is like that of a young child who finds TV, automobiles and airplanes and concludes they always existed. .

Religion and tradition play day-to-day roles in Hopi life. Each of the 11 villages is autonomous, and there are some 30 traditional clans.

Sekaquaptewa, a member of the Eagle clan, explained, "By tradition my clan has the duty of protecting the people from their enemy and protecting the leaders of the priesthood."

But he added that some "self-proclaimed Hopi traditionalists are aiding and abetting the enemy (Navajos) for their own political purposes, hoping to gain power by disrupting and destroying the tribal council."

He said the Hopis now have more livestock than their limited area can carry, and they plan to expand their grazing areas into the new land.

Coal is the only confirmed mineral resource on the Hopi reservation, and it is known to exist in great abundance. But Sekaquaptewa noted that the tribal council imposed a moratorium on resource development 18 months ago, pending creation of a development plan.

History of the Joint Use Area

It was on December 16, 1882 that President Chester A. Arthur signed the Executive Order which designated a 3,920 square mile reservation "for the use and occupancy of the Moqui and such other Indians as the Secretary of the Interior may see fit to settle thereon." Estimates were that three hundred to six hundred Navajos and one thousand eight hundred Hopi were living within the boundaries of the reservation at that time.

When this Reservation was set up, the land originally belonged to the public domain. This land now was for the use of the Indians. Any other use of the land was prohibited and anyone other than the Indians could be expelled from the land by the Indian Agent. The Indian Agent at the time the Reservation was established was J. H. Fleming. Two Anglos by the names of Sullivan and Merrit were meddling in Hopi affairs. Agent Fleming wanted to expel them from the Hopi lands. The Reservation of 1882 was then established as a means by which Agent Fleming could drive out Sullivan and Merrit. After the executive order was signed by the President, the two men were expelled. Also, on December 26, 1882, Agent Fleming himself resigned as Indian Agent.

The basis for the establishment of the Hopi Reservation and the subsequent Joint Use Area had its foundation in the desire for the expulsion of the two Anglos. At the time, it is questionable if the affected Navajos and Hopis knew about the establishment of the new Reservation, land which was far larger than the Hopis needed for settlement.

Later in the 1880's compiaints reached Washington that Navajos were raiding the Hopi villages and in 1888 an army expedition was sent to the area. The orders given the troops and issued by the Secretary of the Interior were: "remove all Navajo Indians found trespassing with their herds and flocks on the Moqui Reservation and to notify them that their depredations must cease and that they must keep within their own reservation. The troops arrived in December but took no action against the Navajos because removal of the Indians from the land in the middle of the winter would have caused extreme hardship. The Navajos were left with the warning that their raiding of the Hopi must end.

It is obvious that the Washington officials did not regard the 1882 Reservation as a place for Navajos even though Navajos had lived there for generations.

More Navajos did move into the area and the number of families living there increased as well. The Indian Agents were concerned with keeping the Navajos a reasonable distance from the Hopi Mesas. It was their desire also to have the Hopi leave the pueblos to farm and ranch their land.

The question was asked in Washington several times whether the Navajo should be allowed to use the 1882 Reservation. By 1930 the Indian Agents were concerned with keeping the peace between the Navajo and Hopi. It was felt that removal of the Navajos would be too much of a hardship upon them.

In 1936 District Six was set aside for the sole use of the Hopi for grazing. The balance of the land was divided into districts where only Navajo could obtain grazing permits. District Six was expanded in 1941. All Navajos living within the District Six were forced to move out. In 1965 a land survey of the boundaries set found District Six to be larger than realized and about one hundred Navajo families were forced to move.

It was in 1958 that Congress passed legislation which permitted the Hopi and Navajo Tribes to enter into a lawsuit to decide their respective rights within the 1882 Reservation. In Federal Court, the Hopis contended that they were entitled to all of the 1882 reservation. The Navajos claimed that the Hopis should receive only one-fifth of the land. The case was begun in 1960. The case was called Healing vs Jones and was named after the Tribal Chairman of both tribes. The court found that District Six would remain exclusively Hopi and that outside of District Six the rest of the reservation would be divided equally between the Hopi and the Navajo. The court also said that only Congress could partition the land through legislation. The Supreme Court reviewed this decision in 1963 and concurred. This court decision did not end the contention between the two tribes over the land. It did set up the Joint Use Area and made way for the years of struggle which have followed and are continuing today. Since the actual decision over the division of the land is up to Congress, the door has been opened to extensive lobbying by Congress and the bringing up of the case to the public's attention.

Since this decision to divide the land few Hopi have left the Mesas and moved onto the land, which is mostly used by a few wealthy Hopi ranchers.

Negotiations were set in 1963 between the Hopi and Navajo leaders but to no avail. Furthermore, negotiations between the two tribes have not reached any conclusions as yet.

However, the Navajos did ask to buy out the Hopi interest. To partition the land would result in the removal of over three thousand Navajos.

Another factor entered into the desirability of the land. In 1966 Peabody Coal Company signed a thirty-five year lease with the Navajo and Hopi tribes to strip-mine 3,300 square miles of the northern section of the JUA. It was thought by the Hopi and many other oil and gas companies that the JUA might contain vast oil and gas reserves. Oil companies purchased leases for drilling in District Six and paid the Hopi Tribe several millions of dollars for land leases. No oil was found and the leased land was abandoned. However, the Hopis did pay the lawyer which represented them in the Healing vs. Jones case one million dollars for his legal services with money which was earned from the leases.

In 1972 Judge Walsh in a court ruling decided to take specific steps to aid the Hopis. Navajo stock was ordered to equal one-half the grazing capacity of the JUA. Because of the number of livestock which the Navajos owned, their stock would have to be reduced in the JUA by ninety percent. The Navajos did not comply with the order and in 1974 Chairman Peter MacDonald was found in contempt of court for not obeying the Stock Reduction order.

Congress passed the Navajo-Hopi Settlement Act in 1974. This Act again upheld that Hopis and Navajos would equally divide the land outside of District Six; the Navajos would reduce their livestock; the Navajos living in the land partitioned to the Hopis would be forced to relocate. Representatives of the tribes would begin six months of negotiations and if an agreement was reached that agreement would become law. If an agreement was not reached a Federal mediator would submit to Federal District Court suggested boundaries. Life estates could be granted to older individuals upon whom relocation would be a severe hardship. A three-member Navajo and Hopi Indian Relocation Commission was established. This Commission was given two years to submit to Congress a suitable plan for relocation. Once this plan was to be submitted to Congress, a five-year period would be given in which relocation must be completed. Money would be paid as relocation benefits to those affected. Funds in the amount of $37 million were appropriated by Congress in order to facilitate relocation.

The Navajos did request a strip of land called House Rock Valley, north of the Grand Canyon in Northern Arizona for settlement of the relocatees. Anglos north of House Rock Valley in Southern Utah objected strongly to this request and eventually the Navajos were denied this option for settlement.

In 1975 there were six months of intense negotiations between the two tribes. The Federal mediator appointed to negotiate with the tribes was William Simkin. Each side proposed maps, determining how the JUA boundaries should be drawn. The Hopis proposed a single block of land for their settlement. This would cause far more Navajos to be relocated than the Navajos' alternative which requested that the land be divided piecemeal. Simkin proposed a plan to the Federal Court at the end of 1975 that would divide the land as equally as possible between the two tribes and which would relocate as few families as possible. He estimated that 3,495 families would be relocated as a result. Neither tribe embraced the proposal but it could have been much less advantageous for the Navajos.

Judge Walsh adopted the proposal of William Simkin in 1977. Only three weeks after that Hopi rangers moved in and impounded forty head of Navajo cattle on the Hopi side. The Hopi wanted to clear the range of all Navajo cattle. Judge Walsh then stated that his order did not allow for the Hopi to impound cattle. Eventually, the Hopi were forced to release the stock.

In 1979 the Department of Housing and Urban Development raised the amounts which relocated Navajos could receive. The amounts to be received would be adjusted annually to the rate of inflation. At that time a family of three or less persons would receive $38,700 and up to $57,000 could be spent on a family of four or more. At the end of 1979, the Relocation Commission had relocated one hundred sixty-six families from the former JUA.

Public Law No. 96-305 was passed by Congress in 1980. It is called the Navajo and Hopi Indian Relocation Amendments Act of 1980. it took away the option of the Navajos settling in House Rock Valley. The Act did provide for 250,000 acres which the Navajos could have under direct transfer from the Bureau of Land Management. In addition, the Navajo Tribe could purchase up to 150,000 acres of BLM land. But it set a limit of 35,000 acres which could be taken in the State of New Mexico. One hundred twenty Life Estate provisions of ninety acres each was allowed for Navajos fifty-five years or older. A preference is given to the disabled and to residents of Black Mesa.

Improvements would be put into the former JUA in terms of a Hopi High School and a Hopi Health Center, as well.

Since the 1980 legislation, the Navajo Tribe has appropriated $3 million for use by the Tribe for lobbying, public relations, and other types of expenditures to keep the issue open and to influence the decision in the Navajo's favor. The Navajo Tribe has been given until 1984 to choose the 250,000 acres from the BLM and to purchase the additional 150,000 acres. If by 1984 they have not done so, the land will be chosen for them by the government. The deadline is set for 1986, at which time all Navajos must be relocated and all Navajo stock is to be reduced.

In a conversation the author had with Goldwater's office in June of 1981, it was stated unequivocally that Congress will not reopen this issue. It was settled and those involved were to get involved with the issue, and make the best of a bad situation. The three million dollars which the Tribe is spending to keep tho issue open could be used to help those who are being relocated or to help people who are living in the former JUA with education or other necessary facilities and housing.

This is a release on this day from the Tribal Administration.

April 23, 1981

The efforts of the Bureau of Indian Affairs to impound livestock owned by Navajo residents subject to relocation from the former Joint Use Area are a transparent attempt to achieve by starvation in 1981 the involuntary relocation which is scheduled to occur by 1986.

Chairman Peter MacDonald has initiated action to mobilize the resources of the entire tribal government in support of the Navajo People living in the Hopi portion of the former Joint Use Area.

To deal with the short term crises, Chairman Peter MacDonald has initiated an emergency Six Point Plan to deal with the impoundment efforts. This plan has already begun to yield dramatic results in at least delaying the process of impoundment, and hopefully, in setting into motion a set of events which will trigger a total re-evaluation of the administrative options available to the Federal Government with respect to the very question of relocating the Navajos living in the JUA area.

The components of the Chairman's Emergency Six Point Plan are as follows:

1. The Chairman called upon representatives of the BIA and Department of the Interior to meet and to re-examine the basis upon which they were proceeding. After intense negotiations, representatives of the Federal Government have agreed to enter into direct negotiations with the Navajo Nation. These negotiations are currently underway. There are a wide range of topics under discussion ranging from a review of the entire relocation effort by the Reagan administration. During the period of negotiations, there will be at least a temporary four day restraint by the federal government in impoundment activities.

2. The Chairman has called for emergency meetings at each of the Chapter Houses in the affected area. The Chairman and Vice-Chairman have been attending these meetings in order to help explain to the people the steps undertaken by the Tribe and to assess the desires and needs of the Navajo People from their government. The Chairman and Vice-Chairman have committed to providing the following pursuant to the requests of the people living in the JUA.

- *Provision of a communication system for the people living in the former JUA.*
- *Provision of feed for animals if needed to corral livestock.*
- *Establishment of emergency feed lot centers if needed to protect livestock.*
- *Provision of assistance to enable tribal religious leaders to lead the people in prayer for the protection of their livestock.*
- *Provision of legal services to the people in the event such services are needed; and,*
- *Provision of up-to-date information to the people on a regular and periodic basis.*

3. The Chairman has established a Joint Task Force to oversee all aspects of implementation of Tribal plans for the assistance of those subject to relocation. A headquarters has been established in Window Rock which is being staffed on a 24 hour basis.

The Joint Task Force will oversee complete implementation of all plans and activities associated with the Tribe's efforts in assistance of the JUA Navajo People.

4. The Chairman has called for a grass-roots people-to-people organization which will link together individual Navajos from all areas of the reservation in order to communicate to the American people what it means for a land-based culture to be uprooted.

5. The Chairman has requested that plans be developed for a livestock rotational system and the creation of cattle feed lots if necessary.

6. The Chairman has initiated complete studies, including aerial surveys, in order that the Tribe might ascertain the true carrying capacity of the land and true rental value of the land within the Hopi jurisdiction.

In long-range planning, the Chairman has taken steps to establish a process through which he seeks to secure a more fundamental re-examination of both the underlying assumption and feasibility of relocation. In the words of Chairman MacDonald, "We are on the verge of another nightmare in Navajo history — another chapter of shame in America's history. I am doing, I will do-everything I lawfully can do to avert it. I hope to appeal to the conscience of the American people to see if we cannot salvage a future for our people and our way of life."

This will indeed entail an even greater effort and even greater mobilization. Needless to say, there is a corresponding need for an even greater commitment from each and every Navajo to this struggle.

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68 *Joint Use Area.*

69

Housing in the Joint Use Area; the results of a 20 year freeze on construction.

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71

Navajo housing in the Joint Use Area that has been condemned or confiscated.

72

Despondent lady who is facing relocation from the Joint Use Area.

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Traditional Hopi farmer in the Joint Use Area.

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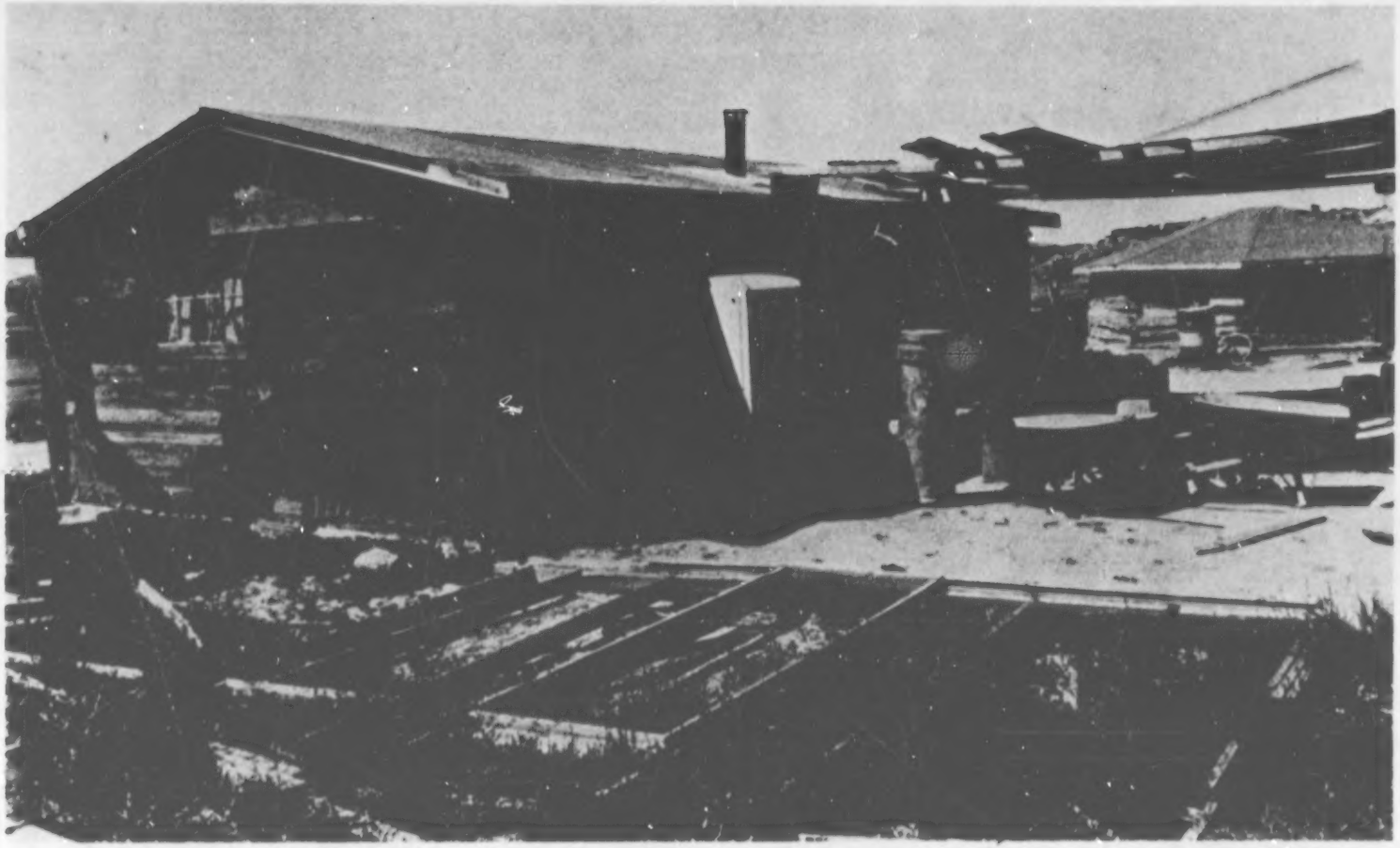

Abandoned Navajo home in JUA due to forced Navajo relocation.

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Jeddito Chapter Veterans protesting at meeting against relocation.

Vietnam Veterans protest march against JUA from Jeditto to Keams Canyon, May 1981.

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82 *Navajo protest against governmental policies in march to Keams Canyon.*

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JUA protest march to Keams Canyon, 1981

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May, 1981; protesters marched against JUA in Phoenix, Arizona.

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Navajos protest against the BIA over JUA, Phoenix, Arizona.

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Demonstrators at JUA protest in Phoenix, Arizona.

CHAPTER 5

Office of Navajo Economic Opportunity

Author's Note — History According to MacDonald — Discussions on ONEO by Wilbert Willie

Author's Note: At the time of publication the functions and funds of the Office of Navajo Economic Opportunity (ONEO) have been completely taken over by the Tribe. Some of the programs of ONEO have been able to continue operating just as before the takeover and from the same offices.

This move on the part of the Tribe reflects the prevailing attitude of centralization - to pull as much control and authority as possible under the Tribe.

Centralization increases the Tribal bureaucracy. It helps the administration of the Tribe by the levying of indirect costs to the monies allocated to the individual programs. It centralizes access and responsibility to and for programs. But it also has a danger of dulling the responsiveness of programs and services to individual Navajos, some critics have charged.

In any case, it is reasonable to assume that the Navajo Tribal Government will continue to do everything in its power to increase in size, and to take over as many programs as possible. Should control be at the community or Chapter level with money coming directly from the National level, by-passing the Tribal Government? Should such monies filter through the Tribe and then be relegated to the community? These are questions which have been discussed and argued over the past several decades.

This Chapter presents an overview of ONEO from shortly after its beginning to the time of its transfer to the Tribe.

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The early 1960's were a time of excitement and new beginnings. Through the National programs of the "War on Poverty" new hope was given to poor people across the nation. The Navajo people at that time were experiencing the influx of monies from energy development on the Reservation which aided the growth and development of the Tribal government. New beginnings were made in education with the start of Rough Rock Demonstration School as the first Indian controlled school in the United States. Navajo Community College was also established as the first Indian owned and controlled college.

In line with these exciting developments came the Office of Navajo Economic Opportunity. In a report published by ONEO, "Oneo, A History and Report, June Through November 1967," the first Executive Director of ONEO, Peter MacDonald, provides a short history of the beginnings of the project. It is well worth reviewing here. This report gives the flavor and the feeling which attended the beginnings of this significant project.

HISTORY ACCORDING TO MACDONALD

Not so long ago, if one had said that a hand would reach out and help 102,000 Navajos in two and a half years he would have been told, "Impossible! An idle dream." The Navajo Tribe would have said, "There is no one who cares that much." The BIA would have said, "There is no organization with a large enough staff." Welfare would have said, "Who would have that much money?" And the people would have said, "It never has happened in our history, and it never will."

The statement is true, however, because of a unique and imaginative piece of legislation, a hand reached out to the poor over the entire nation; but, for the Navajos and other Indians, it was more than a helping hand. It was the beginning of a new era in government attitude. Washington finally had handed the reins to the Indians and said, "YOU drive."

For the Navajo people the change came through the Office of Navajo Economic Opportunity (ONEO). It was focused not only on the people near agency headquarters, near paved roads, near urban centers; it also sought out the forgotten people in the deepest crevices of the canyons, in the farthest reaches of the desert, in hogans hidden in dense pinon groves. It went where only Navajos knew to go — because ONEO was born a Navajo! From the start, as an organization with a 98 percent Navajo staff, and a Navajo director, it understood its people, and it cared about them.

The origins of this "new deal" for the First Americans began in 1964 when the Anti-Poverty Bill was passed in August, and funds were made available. Sargent Shriver was seeking a way for grants to be handled for the Indian Tribes. Early plans called for the BIA to develop and administer the Community Action Program (CAP). Washington had been presented with the usual argument, "Indians are incapable of handling their own funds." The Navajos and other tribes protested, however, and Shriver decided to experiment. He selected 16 Indian tribes and asked them to write proposals according to the provisions of the Anti-Poverty Bill. The Navajo Tribe was among the

sixteen. He gave them four weeks to prove themselves. Skeptics in Washington believed that possibly only one proposal would materialize from among the 16 assignments.

At that time, I was Director of the Tribe's Management Methods and Procedures Department, and I was assigned, with Joe Watson, Jr., to prepare the proposal for the Navajo Tribe. Thus began a period of intensive work — intensive in an effort to develop programs for the people's needs.

On September 8, 1964, the Navajo Tribal Council met and passed a resolution (CS-53-64) authorizing the Chairman, Raymond Nakai, and the Advisory Committee of the Navajo Tribal Council to enter negotiation with the government for anti-poverty money and approve the plan of operation for the implementation of the funded programs.

I went to Chapter meetings, talked to people, discoursing with them in an attempt to seek out the roots of their problems and the causes of poverty. The first proposal developed as a result of this initial work was the Pre-School Program. Other programs included: Recreation and Physical Fitness, and Manpower Training. We also requested funds for a study of leadership training, a survey regarding a community college, as well as a budget for administering the CAP programs. Eventually, a request for a total of $920,000.00 was submitted to the Office of Economic Opportunity (OEO) in Washington.

The new organization needed a name, and, after exploring several possibilities, "Office of Navajo Economic Opportunity" (ONEO) was selected. On April 7, 1965, the Advisory Committee of the Navajo Tribal Council passed a resolution (ACAP-36-65) to establish the ONEO and approved the plan of operations for the new organization. This action also authorized the ONEO to implement and administer ALL community action programs for the Navajo Tribe.

One of the first programs to get under way was Pre-School. With the full dedication and energetic efforts of Mrs. Elizabeth Eubanks, a unit was opened at Navajo Mountain, and, by July, 1965, there were 20 Head Start units on the Reservation.

Another early program was the Neighborhood Youth Corps (NYC). At that time, funds were received from the state rather than directly from the Department of Labor. ONEO asked for and received from the State of Arizona close to two million dollars, and immediately 5,000 young people were employed on the Reservation.

Other proposals followed. A Local Community Development Program (LCDP) was funded, the Recreation and Physical Fitness program was implemented with a budget of $227,959. The Small Business Development Center (SBDC) was opened and began operations in September, 1965. A request for 100 VISTA Volunteers was made, and it was approved by OEO and the governors of New Mexico and Arizona. On July 5 the first 15 volunteers arrived.

Altogether, by the fall of 1965, more than one million dollars had been received from OEO Washington, and a further $113,730 was contributed by the Navajo Tribe, as part of the 10 per cent "in-kind" contribution required by OEO.

According to the requirements of OEO, personnel of CAP programs were to be selected from the grass roots people, the untrained, the poor. In keeping with this, all Community Development Aides were selected by THEIR OWN Chapters to SERVE in their own Chapters.

How do you take people who have not heard of the words "Community Development" and put them to work in this new and sophisticated field? "Training" was the answer, and, to accomplish this, the ONEO engaged the services of the Indian Community Action Program (ICAP) at Arizona State University.

In those early days, the concepts of the ONEO were new and strange to many people on the Reservation. The purpose and dedication of the ONEO was to teach and assist the Navajo people to become self-sufficient. Full and lasting eradication of poverty on the Reservation could not come about, it maintained, without the elimination of the feeling of hopelessness that had become a part of Navajo life. The ONEO felt that the people must strive toward self-sufficiency, that they must become employable, that they must be brought up to today's requirements of technology and education.

This was an entirely new approach to helping the Navajo people. For at least two generations of Indians, the government had practiced a paternalistic approach which required little involvement of the people. Too many of our people had come to think of help as a form of welfare, and some prominent Navajos attacked the ONEO, claiming they had seen no cash or commodities distributed to the poor. The idea of help through self-sufficiency and community action was slow in taking hold. The BIA, too, regarded the ONEO with some degree of doubt because its concepts were different and at times contrary to those held by the Bureau. These were a few of the growing pains of the ONEO, but it had confidence in the goals and ideas of the people, and it never faltered.

In January, 1966, the ONEO had 200 employees on its payroll. Except for several component directors and some of the Pre-School teachers, the staff was comprised entirely of Navajos.

By January 14, 1966, the Small Business Development Center had made three loans totalling $43,400. They were arranged with such diverse businesses on the Reservation as a sand and gravel company (Art and Leonard Arviso), a TV sales and repair service (Oscar House) and a shoe and saddle repair shop (Jake Antone). One of only two such centers west of the Mississippi, the ONEO Small Business Development Center was especially tailored to Navajo business needs.

In a statement regarding the first year of operation of ONEO, Chairman Nakai said:

"Woven through this account runs one common thread: The fact that the ONEO reaches down to the Navajo people at the poverty level, providing them with means by which they can lift themselves to a better life."

"The War on Poverty is a new and daring attempt to solve an ancient evil....It is a pioneering movement without precedent. The ONEO, in the words of its Director, has had to start sailing its own ship while the ship was being built."

The ONEO grew beyond expectations. For its second year of funding it received a total of ten million dollars for the 12-month operation.

Four new components had been added to ONEO. Funds came from Washington in the amount of $375,315 for an Alcoholism Treatment Program, a Migrant Workers Program and a Navajo Culture Center. Soon thereafter, the Home Improvement Training Program was added. An additional $2,274,878 was granted for the second year of Pre-School. This brought to ten the number of programs in operation under the ONEO. In addition to Conduct and Administration, they were:

Neighborhood Youth Corps
Pre-School (or Headstart)
Local Community Development
Community Alcoholism Treatment
Navajo Culture Center
Small Business Development Center
Migrant and Agricultural Placement and Assistance
Recreation and Physical Fitness
Volunteers in Service to America
Home Improvement Training

These programs were designed to solve some of the major causes of poverty on the Navajo Reservation.

In an effort to rebuild pride in the Navajo heritage, the new ONEO component began to collect material on Navajo culture and history. This was done by sending Navajo staff members into the field to seek out older persons who remembered legends, historical events and other facets of past Navajo life — and to record their recollections on tape. In addition, plans were made to record a vast collection of mythological and ceremonial information. The end result is to be an inspirational book for Navajo high school students which will help to make them proud of being Navajos.

The Home Improvement Training Program was to become perhaps the best-known and best-lived program by the Navajo people. Its purpose was to train thousands of unskilled men in the building trades, giving them prevocational training and hopefully leading them to employment. It also would teach them to repair and build their own homes. Ten men were selected from each Chapter every three months, and they built new houses or repaired old ones for poor people who lived in sub-standard housing.

Nearly 80 VISTA volunteers - a record number - were working on the Reservation. It was the largest single VISTA project in the United States. The men and women were assigned to Chapters and worked under the Chapter officers and closely with the LCDP personnel, cooperating at the same time with various Reservation agencies.

A brief review in April of 1967 indicated that the following benefits had been accomplished by the ONEO:

- *HIT had built or repaired 1,213 homes, benefiting 8,975 persons.*
- *The Alcoholism Treatment Program had helped 1,360 persons by keeping alcoholic parents from sinking back into the habit.*
- *The Migrant Program, through its information and placement services, had benefited 12,000 Navajos.*
- *The Culture Program had established 750 old people as consultants, thus making them feel useful and giving them financial compensation for their services.*
- *The Arts and Crafts Program, in addition to instructional and recreational benefits, had resulted in 500 persons selling $4,000 worth of their newly-learned crafts, thus supplementing their incomes.*
- *The SBDC had approved $145,000 worth of loans which created 128 jobs for heads of families.*
- *The new NYC Program had been funded to give work and counseling to 750 young Navajos, thus saving many of them from dropping out of school.*
- *The Recreation Program had involved 3,000 young people in teams, and more thousands in general sports and other activities, thus*

keeping them physically fit and helping to prevent many from falling into delinquency.

• More than 2,000 five-year-olds had been given a head-start in life by the Pre-School Program.

In April I had gone to Washington to appear before the House Sub-Committee on Small Business to plead for the continuance of small business development centers under the OEO. The Small Business Administration was threatening to discontinue funds for such centers, thus forcing their closing. "There is both a great need and a great potential for small business development here," I told the committee. "If SBDC is going to be discontinued, we, the Navajo people, once again will experience the pains of broken promises." But SBDC was doomed.

The ONEO had 2,000 employees at this time, with an annual payroll rate of $3,367,087.84.

In the spring of 1967 one of the most eagerly awaited programs finally opened its doors. That was the legal services program. It was given a Navajo name, Dine-beiina Nahiilna Be Agaditahe, Inc. (DNA, Inc.). Despite difficulties in finding office space and housing for its lawyers, DNA opened legal aid centers in each of the five agencies, thus bringing their services within reach of the people. By June, although two more agency offices had yet to be opened, DNA already had handled 250 cases, including civil cases in tribal, state and federal courts, as well as domestic cases. Eventually, DNA was interviewing 100 clients a day. While this was, without doubt, a most beneficial program, certain disagreements were to develop later between DNA and its contracting agency, the ONEO.

While the other programs were continued, cutbacks and stipulations by Washington imposed difficulties on both the beneficiaries and the administration of the programs. There were cutbacks in personnel for the Alcoholism Program, there were cutbacks in salary for LCDP workers and others; but, worst of all, was the requirement for most ONEO employees that they be over 36 years of age. This meant that a considerable number of young Navajo men, many with families to support, could not hope for employment or training with the Navajo War on Poverty. These, together with an earlier OEO cutback that eliminated one of three teacher aides from each Pre-School unit, prompted me to make an open protest.

Resolutions to request revision of these terms by the OEO were passed by the ONEO Executive Board in an early fall meeting. The resolutions then were given to the Advisory Committee. In mid-October, by a vote of 15 to 1, the Committee approved a resolution to thank the OEO for the benefits received under the ONEO, and, by a vote of 15 to 0, it voted to ask the OEO to reconsider the reduction in the number of Pre-School teacher aides.

For many months plans for another program had been in the works. It was to be unique and to represent the ultimate in cooperation among many agencies, both tribal and federal. Earlier known as the Mutual Help Housing Program, it later was named the "THAT" Program (Tribal Housing And Training). While other tribes already had embarked on mutual help housing programs, this one was somewhat different, although it maintained a standard feature — that the prospective purchaser of the home donate a certain number of hours of labor in lieu of the customary cash down payment. The price of the house would be low, payments would be low and applicants would be

considered only from low income families. But the beneficiaries were to be two-fold. Professional labor would come, not from private contractors, but from the scores of OEO paid trainees. These men, most of them from the poverty level, needed employment and further training. A total of 200 houses were to be built in seven locations (all five agencies were to have THAT houses). Under the direction and administration of the ONEO (including accountability for Tribal funds for the project), other agencies contributing to the plan were to be:

- *The Bureau of Indian Affairs*
- *The U.S. Public Health Service*
- *The Federal Housing Assistance Administration under HUD*
- *The Navajo Housing Authority*
- *The Office of Economic Opportunity*
- *The Navajo Tribe*

The Navajo Tribe was to appropriate $1,444,000 (for which it eventually would be reimbursed), and OEO approved $363,000 for the employment of 200 trainees. BIA was to contribute $33,370 to pay for supervision; PHS was to put in water and sewer lines in all locations; NHA was to act as the buyer; HUD was the actual buyer (through NHA). Jack Notchiesey, until this time director of the HIT program, was appointed superintendent of the entire THAT Project. The winter of 1967 will be remembered by him as one of his most hectic as preparation of the sites and plans for construction of the houses were being developed. Groundbreaking was to be in Crownpoint in February 1968.

In October of 1967 difficulty arose with DNA, Inc. (delegate agency for legal aid service). After the delegate agency had been in operation for more than a year, differences of opinion arose as to how DNA was to be directed and administered. The ONEO Executive Board and the DNA Board were unable to come to an agreement on their new contract. As a result, funds were temporarily withheld while negotiations continued. At one point, when the relationship between ONEO and its delegate agency become somewhat strained, the situation received national attention. But the matter was settled amicably in January, 1968, and a new contract was signed.

In looking back over the two and a half years of ONEO on the Reservation, its accomplishments are noticeable in many ways.

While poverty is far from extinct, and the needs of the people as individuals and as a nation are far from satisfied, there has been undeniable movement toward a better future. Hundreds of neat stucco houses have replaced pathetic shacks. Hundreds of young people are assured of a better future because the NYC Program has kept them on the road to higher education. Thousands of little Pre-Schoolers have received a head start. But perhaps the greatest accomplishment is one that cannot be seen readily - a hopefulness has come to the Navajo people, a belief, and even proof, that progress and improvement CAN happen here, can happen to THEM. With this growing confidence, who knows to what heights the movement can go? If the accomplishments of the people will be through their own effort, then it can be said that ONEO has been totally successful, for that has been its goal.

In the years to come, the ONEO is embarking on new efforts, mainly in the field of extensive manpower training, business and economic development, as well as job development. It plans to continue seeking resources other than the ONEO to support and assist its work on a continuing and long-range basis. Such agencies as Housing and

Urban Development (HUD), the Economic Development Administration (EDA) and Health Education and Welfare (HEW) are showing growing interest in the American Indian. BIA is now planning kindergarten units on the Reservation.

Together we have made a start, but we must make an even stronger effort to bring into realization the hopes and goals of our people. We still have much to do. We still have thousands who are unemployed; we still have thousands whose lives are being ruined by alcoholism; we still have a land that cries for water. We still have thousands who are in need of the necessities of life. But to rectify these is within the realm of possibility. We will, and we must, continue to rally and unite all the forces we can, from the hard and simple efforts of the grass-roots people to the sophisticated involvement of government and of private industrial agencies, to bring a better life for coming generations of Navajos — a life free from want, and full of pride and dignity.

Peter MacDonald
Executive Director
Office of Navajo Economic Opportunity

As with many government projects such as ONEO, numerous programs are initiated within the project but many of the programs are not remembered nor do they leave a lasting impression. With ONEO this is true regarding some of the programs but several of them reached a level of importance which few programs do.

The National Headstart Educational Project for pre-schoolers has been administered through ONEO and funds the many ONEO pre-schoolers across the Navajo Reservation. This program has made significant impact on the Navajo communities. The Navajo Community Development Program brought specialists into the Navajo communities to work with community problems at the Chapter level. It also brought development money to the Chapters where little was ever available before. The Navajo Pre-Vocational Training Program has given valuable skills to hundreds of trainees, and has provided improvements in housing and other community buildings in the various chapters.

On June 18, 1981 and on June 24, 1981, the author met with the current Executive Director of ONEO, Wilbert Willey. The discussion concerned the significance of the ONEO project and what the future direction of ONEO should be. The following information about ONEO is edited from the two interviews.

Discussions on ONEO by Wilbert Willie

In order to properly understand the significant contributions of ONEO to the Navajo Reservation, one must go back to what conditions were like before ONEO was in existence. The poor of the nation and those on the Navajo Reservation were in great unrest. Little or no attention had been given to them before. Their lives were filled with uncertainty about food, housing and health. When ONEO was funded, a great rallying behind its programs was experienced. The ONEO programs gave various opportunities to people for the very first time. Through the community programs, people were able to decide for themselves about community development. These early programs focused on the various age groups.

Through these early programs, the Navajo people were able to improve their lives and communities. This proved to the BIA and the Federal Government that such projects were possible. Other programs across the nation were then modeled after the successes of ONEO. The Community Development Workers were able to accomplish their work. This has taken sixteen years but with the continuity and follow-through it was able to be done. At this time, health projects on the reservation administered through the BIA, the Public Health Service, Bi-State Social Services, etc. are now all involved in community services. ONEO provided the model for these programs and demonstrated how it could be done.

ONEO brought out to parents the needs of their children via the Headstart program. It was necessary for the parents to become involved in the Headstart program in order to provide the facilities which each pre-school needed. The Headstart program emphasized and educated the parents concerning the nutritional, social and health needs of their children. ONEO Headstart was the first school system program which resulted in the parents' involvement in their child's education on the reservation.

In the beginning, ONEO received only national Office of Economic Opportunity funds. In recent years, funds have been solicited from the states of New Mexico and Arizona as well as many other federal funding sources and private foundations.

The Navajo Chapters have not had an accepted or universal plan of operation. ONEO made up a reservation-wide Plan of Operations for Chapter Officers. This was complete last year. The Plan clearly delineates what chapter officers' duties and responsibilities are. This plan was approved and published by the Tribe. At this time, the Plan should be explained in full at each Chapter.

The ONEO Foster Grandparent Program employs the elderly. The program works well in schools, hospitals and nursing homes. The elderly consultants visit the schools and talk to the students. This is especially valuable at boarding schools where the children may not see much of their parents or their grandparents. They speak of Navajo history, culture, traditions and family relationships. Lonely or homesick patients at hospitals or nursing homes are visited and reassured by the elders working in the Foster Grandparent Program.

Navajo Children's Legal Services Program is growing and is a most vital and needed program. In many legal situations where the parents are represented by professionals such as lawyers, the legal representation of the children is forgotten. The above program fully represents and encompasses the children. DNA represents families as a whole, or represents adult individuals but there has been no representation of children, per se. Cases in which children receive representation include: child abuse, child neglect, child custody, child placement, and child representation in court. The program uses lawyers and court advocates. It works along with BIA Social Service, PHS, etc.

The ONEO Board of Directors consists of nine members. Representatives are from each of the five agencies and from Alamo, Ramah and Canoncito. The chairman actually recommends to the Advisory Committee and the Advisory Committee selects who is on the Board from the recommendations provided. Representatives are also from the Advisory Committee and from the Budget and Finance Committes of the Tribal Council.

It is significant that ONEO has presented to the people various ways to develop their own communities. ONEO has provided the motive to mobilize; has shown community members how to get to the origin of their resources, how to set up systems for the communities and how to facilitate better communication.

Navajo Nutrition Education Program : division of the Office of Navajo Economic Opportunity.

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ONEO Christmas dinner. L-R Frank E. Paul (Vice Chairman) and wife, Wilbert Willie (ONEO Director) and wife.

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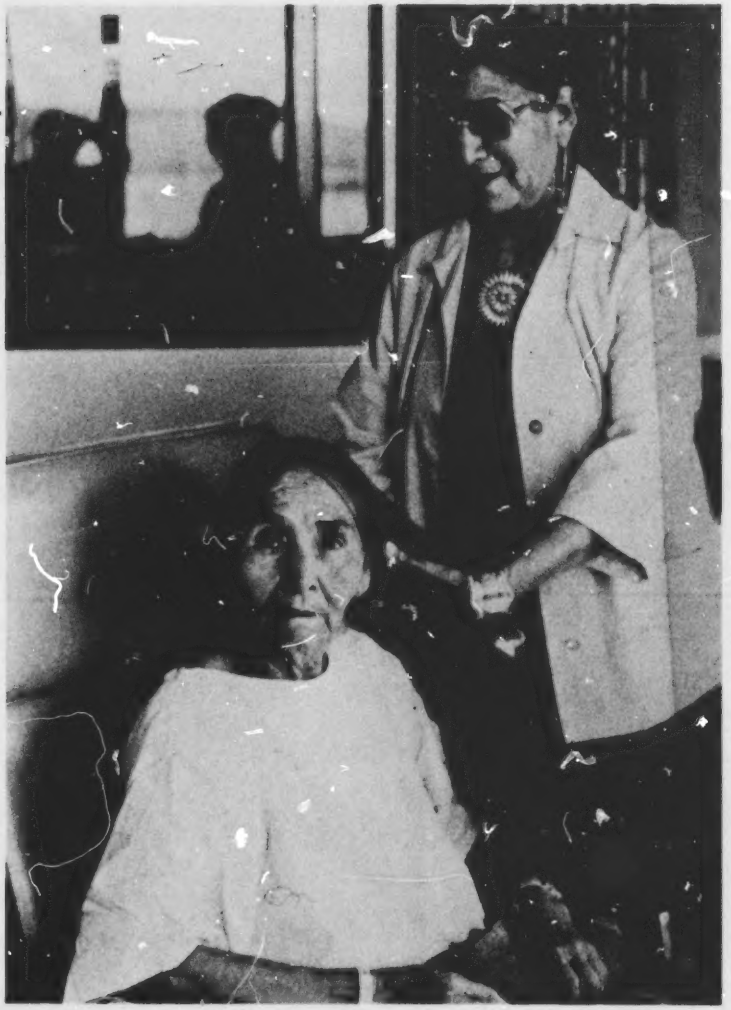
Chinle Extended Care facility.

Senior Companion Conference on aging, April, 81.



Senior Companion at Tuba City Hospital assisting one of the patients.

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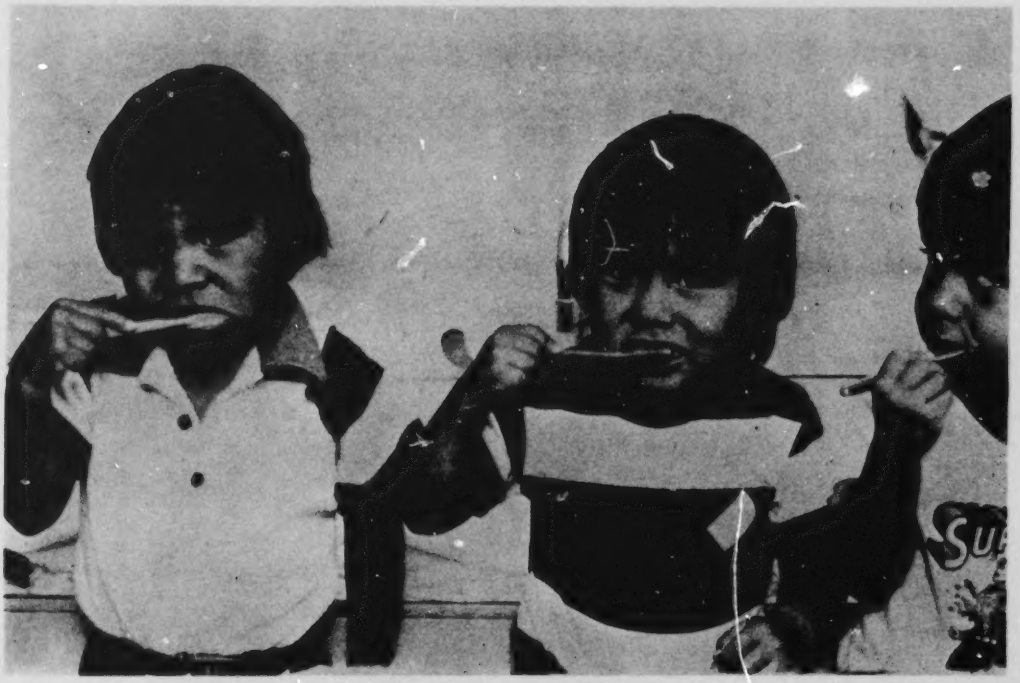
Navajo women participating in ONEO Foster Grandparent Program.

ONEO Foster Grandparent at ONEO preschool.



Developing good dental habits. Day Care Center at Chinle, Arizona.

Lunch time at the Day Care Center in Fort Defiance, Arizona.

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Day Care Center, Chinle, Arizona.

ONEO Day Care Center, Chinle, Arizona.

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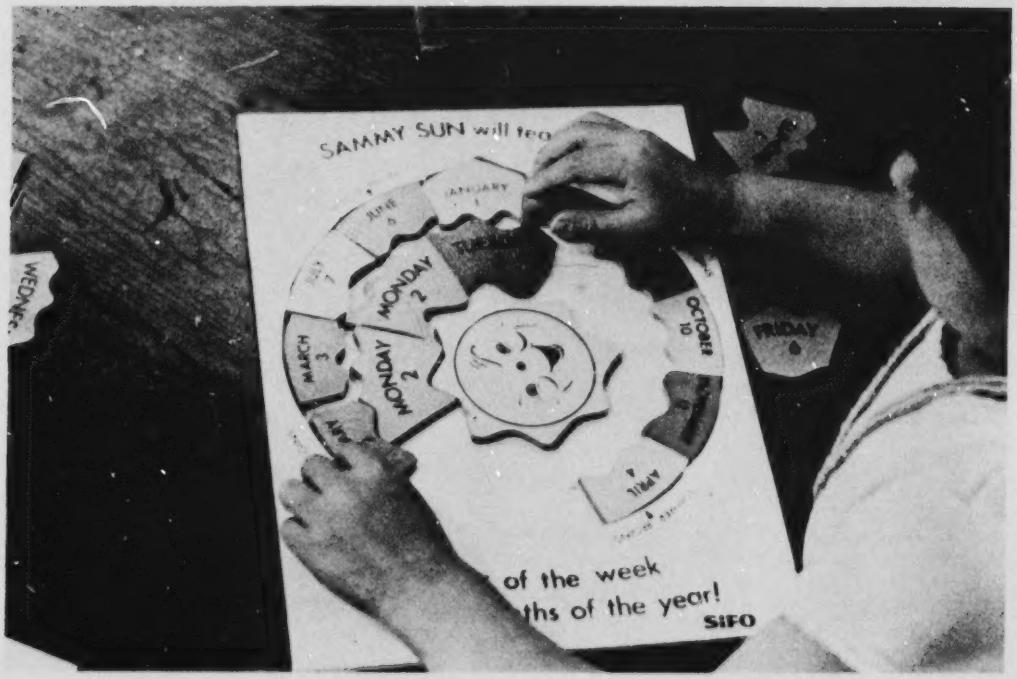
Reading to the children at the Chinle Day Care Center.



Puzzle fun is also a teaching tool. Chinle Day Care Center.

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Navajo Cultural Activity at Head Start classroom.

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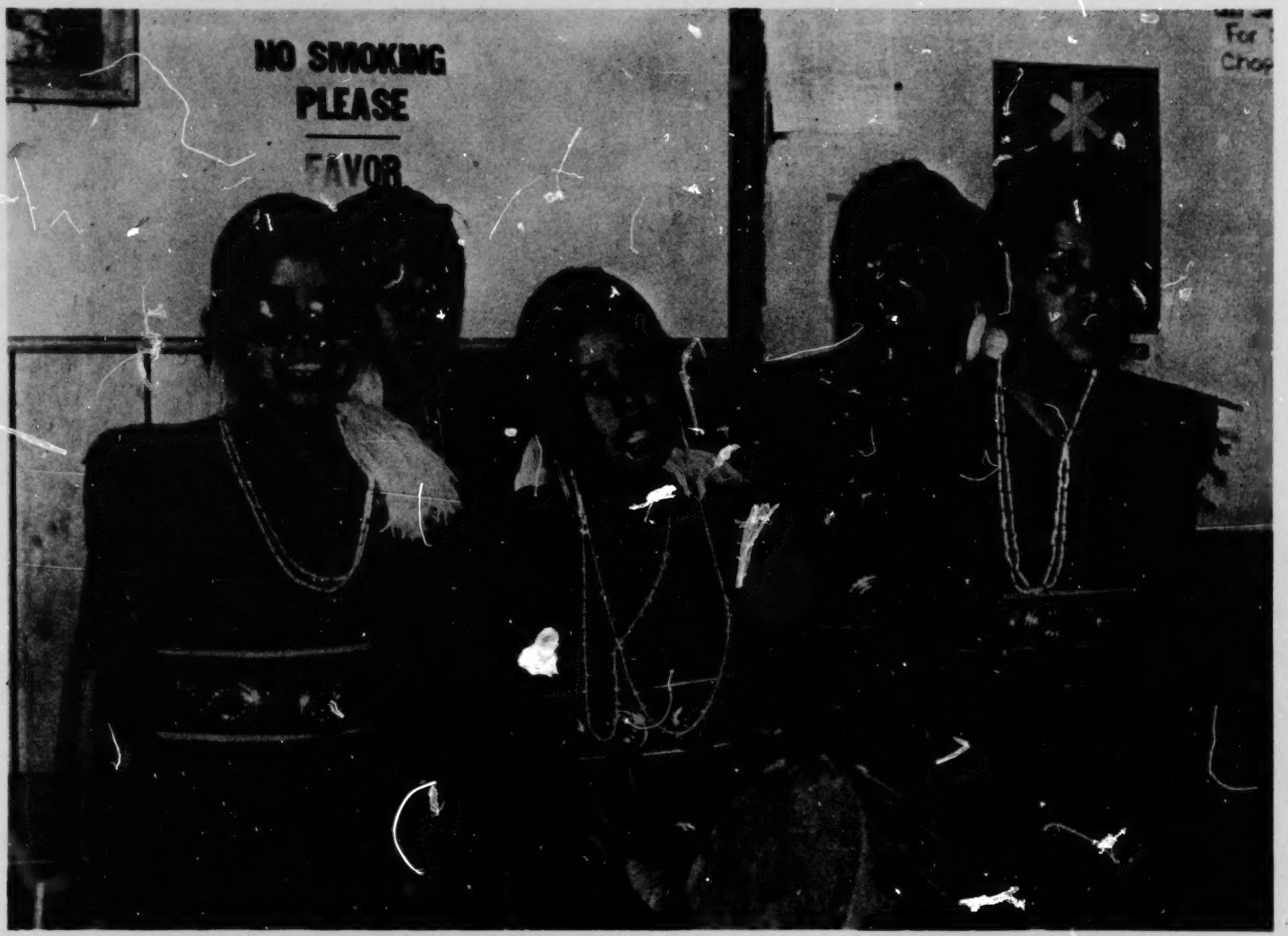

Group singing in traditional Navajo cultural style for Head Start children.

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Navajo culture being taught in Head Start Program.

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Head Start group.

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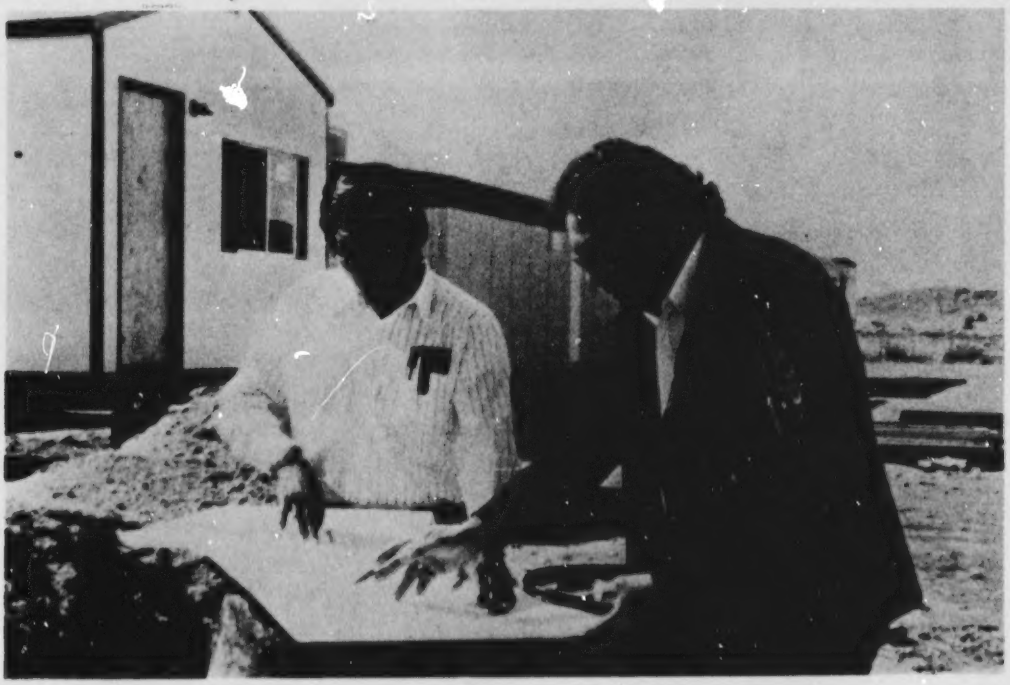
Beginning use of solar heat by the Navajo Pre-Vocational Training Program.



Navajo Pre-Vocational Training Program reviewing building plans.

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Navajo Pre-Vocational Training Program has installed solar heating into a traditional Navajo home in Fort Defiance, Arizona.

NPVTP giving on-site job construction experience.

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NPVTP Project scheduled to be completed with the aid of CETA labor. Cutbacks in the CETA funds has left four million dollars worth of material lay dormant with no labor to utilize them.

NPVTP Electrician

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House scheduled to be repaired by students of the Navajo Pre-Vocational Program.

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Experienced instructors showing correct techniques to students.

On-site training through NPVTP.

CHAPTER 6

DNA - Peoples Legal Services

DNA - Its Beginning — Early Conflicts — Current Struggles — Significant Cases — Peterson Zah Comments & Interview

DNA - It's Beginning

Among the many programs which developed under ONEO, there is one which branched off and became viable in itself, a program called DNA - Peoples Legal Services. Outside of the Navajo Tribal Government the developments in education made a change in many Navajo lives either through direct contact and assistance or through the implications and changes they have wrought in Navajo life. The establishment of the Rough Rock Demonstration School, the Navajo Community College and the improved health programs are but a few of the developments. The ONEO and DNA programs have made the most direct impact.

In 1967 Dinebeiina Be Agaditahe was established and founded, its acronym being DNA. The Navajo name means: attorneys who contribute to the economic revitalization of the people. The name was suggested by one of the first Navajo board members, John Rockbridge. The DNA program operated for two years as a part of the Office of Navajo Economic Opportunity before receiving its own direct funding from the Office of Economic Opportunity in Washington, D.C. In early 1965, three persons began to propose the concept of a Peoples' Legal Services Program separate from any Tribal organization; Leo Haven, Anthony Lincoln and Theodore Mitchell began to work towards this end. Mr. Mitchell was at that time an attorney for the Navajo Tribal Legal Aid. He drafted the proposal to establish this new organization. Mr. Norman Littel, the General Counsel for the Tribe, did oppose the establishment of a legal services program which would not be under the control of the Tribe. Mr. Haven and other ONEO employees went to the Chapters across the reservation and secured fifty resolutions from ninety Chapters approving ONEO establishing a separate Legal Services program. The result was that on April 25, 1966, Sargent Shriver approved the starting of the ONEO Legal Services Program grant in the amount of $872,851.

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Mr. Haven became the Director of the ONEO Legal Services Program. He remained as the Director until the spring of 1967. This project worked with the Chapters to democratically elect DNA Chapter representatives who would meet at the Agency level. These would form DNA Agency Committees. Two members from each committee would be elected within that committee to serve on the DNA Board of Directors.

In January of 1967, Theodore Mitchell became the Director of DNA until his resignation at the end of 1969. After Mitchell's resignation, Mr. Haven became the Director for a second time until 1973. Peterson Zah was elected the Executive Director in 1973 and continued in that position up until 1981.

The principal idea behind DNA is to fight and eliminate poverty as well as possible by fighting economic injustice imposed upon the Navajo poor. Those who are classified as poor by national standards are eligible to receive the free legal services of DNA.

Over the past fourteen years the composition of the Board of Directors of DNA has changed. At various times in the past there has been a total of fourteen Board members. On other occasions thirty members were active, but it was found that, as in the past, only fourteen members seemed to be adequate to conduct the necessary affairs of the Board.

Early Conflicts

Harold Mott, who directed the Tribal Legal Aid Department in 1967, filed a lawsuit against DNA for trespassing on land south of the DNA offices in Window Rock. The suit claimed that DNA personnel were using a road not leased to them. The Tribe did not wish DNA to utilize this road. The case was won in the Justice of the Peace Court of Arizona but was appealed to the State Superior Court and the ruling was overturned. The Judge maintained that the DNA staff had not trespassed on the land.

In early 1968, the ONEO Board and the Tribal Chairman decided a new contract should be made with DNA. This contract would have provided that DNA turn over to ONEO all of its client files any time ONEO requested. This would violate the privacy of the DNA clients. It also would have prevented DNA from communicating directly with the Washington Office of ONEO, thus severely restricting DNA's independent activities. Tribal Chairman, Raymond Nakai, also wanted the resignation of the present director of DNA, Theodore Mitchell.

The ONEO Board then determined that a contract should be drawn up and the next year's proposal for funding should be given to outside law firms for competitive bidding.

At the next Tribal Council session in 1968, the Tribal legal department brought charges against DNA, charging that the DNA Director refused to cooperate with offices of the Tribe and other agencies. Also, the DNA harassed Tribal Judges and engaged in litigation which was not connected with the legal services to the poor. The Council did table the resolution requested by the Tribal legal department calling for the termination of DNA, but DNA continued on.

Several further conflicts ensued during 1968 between the activities of DNA, its attorneys, and the Tribal Chairman and Tribal Council. The result was that the DNA Director was excluded from the Navajo Reservation by a vote of the Advisory Committee of twelve to three. The operations of DNA were interrupted and eventually a trailer was set up off the Reservation, a mile east of Window Rock. Here, Mr. Mitchell could still work as Director of DNA, but the location still remained off the Reservation according to the Tribe's wishes.

One criticism was leveled at DNA in a September 4, 1968 article in the Navajo Times which stated:

> *We have agreed with little that DNA has done on the reservation, feeling that the organization has cast about wildly for issues on which to make a case. But Mitchell and DNA have made a powerful impact on the Navajo people, making them aware that they, like other Americans, are entitled to equal justice under law.*

In 1969, the case of Dodge vs Nakai went to U.S. District Court in Phoenix. This case was to decide whether the Tribe had the right to exclude the Director of DNA from the Reservation. The Judge ruled that the exclusion order of Mr. Mitchell from the Reservation was illegal under the Civil Rights Act of 1968. However, this case did not end nor solve the problems which DNA faced with ONEO or the Navajo Tribe.

Judge Walter Craig made this statement:

> *The facts demonstrate a disagreement between the Tribal government and the administration of DNA as to the proper objectives of a legal services organization operating on the Navajo Reservation. The Tribal officials thought the program should be directed towards protecting Navajo Indians from forces beyond the reservation; DNA thought the program should include the representation of indigent Navajo Indians before agencies of the Tribal government itself. The disagreement, and the desire of the Tribe to both limit the independence of DNA and restrict its sphere of activities through negotiation of the ONEO-DNA contract, does not constitute an unlawful effort to destroy DNA or to deny indigent Navajo Indians their right to effective legal assistance. The Tribal government, through ONEO, is entitled to negotiate for provisions in the ONEO-DNA contract that may curtail DNA's activities or subject that organization to closer supervision by ONEO.*

During this same time period, the Chairman refused to sign a form which would authorize the money to fund DNA even though OEO had the money available. The result was that through a governmental audit conducted by the GAO, in the summer of 1969, ONEO was persuaded to fund DNA directly rather than through the Tribe. The Chairman explained his position as it was stated in a letter to the DNA director on July 1, 1969, which follows:

> *....(the) resolution, in brief, states the official position of the Navajo Tribe that you are not a fit and proper person to be the program director of DNA, and that a Legal Services Program for the Navajo People, to be genuinely effective, must be FUNDED through the Navajo Tribe.*

On August 18, 1969, the direct funding of DNA was approved. The Board of Directors of DNA was expanded from nineteen to twenty-two voting members. These three additional seats were to be selected and elected from the Navajo Tribal Council. This year the funding was in the amount of $1,010,700.00.

The authority for control over DNA by the Advisory Committee of the Tribal Council became a near possibility. On October 14, 1969, Senator Barry Goldwater introduced, but then withdrew a motion in Congress that would have given the

Advisory Committee of the Tribal Council control over DNA. Had this motion been carried forward, DNA would have lost its independency.

At the end of 1969, Theodore Mitchell did resign as the director of DNA and Leo Haven was put in that position by DNA's Board of Directors. During this time period, in 1970, a significant lawsuit took place when DNA filed suit against the Gallup jail.

DNA alleged that over two hundred and thirty Navajo prisoners were held in filthy, unfit facilities. Many prisoners were also held up to sixty to one hundred and twenty days without privileges of seeing family and having certain other rights violated while in jail. The result of this suit handled by DNA was that a greater emphasis upon the treatment of alcoholism was made. The jail facilities in all the surrounding border towns were then cleaned up.

Another fierce battle for the survival of DNA was again fought in 1973. ONEO provided funds for the program to operate for six months and then cut out the funding. There were no funds provided for the program to continue for the remainder of the year. This would mean that DNA would have had to terminate work on all of its cases.

ONEO had decided that another organization called Lawyers for Navajos, Inc., a group from off the Reservation, should take over the operation and control of DNA. In order to implement this, the DNA funding was cut off. The DNA, then under the directorship of Peterson Zah, (who remained director through the present), decided to sue ONEO over their breach of contract in not providing a full year of funding of DNA. The DNA did win the case and the funding was restored so the one thousand legal cases in progress at the time could continue. The Lawyers for Navajos, Inc. were not mentioned in the settlement. This organization would have put DNA under direct Tribal control. The ONEO stipulated that DNA adopt new by-laws, establish a new Board, and must agree to serve non-Indians on the reservation who qualify for services on the basis of income. Rules and procedures had to be established by the new Board which would insure that DNA not use its funds to promote any political activity. From the Gallup Independent article of June 30, 1973 written by Bill Donovan, the new Board was to be selected as follows:

- Each county bar association within the Navajo Reservation will select one member. These include Coconino County, Navajo-Apache Counties, McKinley County and San Juan County for a total of five members.
- The state bar associations in Arizona and New Mexico will each be permitted to select one member.
- The Navajo Tribal Bar Association will be allowed to select one member.
- One member will be chosen by Hopi Tribal Council and two by Navajo Tribal Council.
- Two directors will be selected by the present DNA Advisory Committee in a manner designated by the present DNA board.
- One person will be selected by the other thirteen members of the new board to represent the poor.

Under its new by-laws, DNA will serve both the Hopi and Navajo Reservations, as well as nearby border towns which have a significant number of low-income people. The DNA attorneys will represent all eligible persons (low-income) "in such a way as to favor no particular race or ethnic groups."

In 1974 the monies at the national level for legal services to needy persons were removed out of the Office of Economic Opportunity and given to the Legal Services Corporation. That agency then contracts with DNA to provide the services to the Navajo Reservation area.

Current Struggles

Thus far in 1981, the Reagan Presidential Administration had not requested for the funding of the Legal Services Corporation. The Legal Services Corporation receives over $321 million dollars annually from the Congress from which it funds more than three hundred legal aid programs across the country. Over five thousand lawyers are employed in these programs. It is not likely that with the long history of this program that it will completely be cut out all at once. However, it is probable that funding will dramatically be cut back. The future funding of DNA may be cut back or cut out completely. This would not be because of political in-fighting or jealousies which have threatened the life of DNA in the past, but because of the unwillingness of the Federal Government to continue to provide support money for many of the social welfare programs this nation has enjoyed in the past few decades.

Besides a constant struggle to keep itself alive both financially and politically, as discussed thus far in this section on DNA, this project has been one of the most significant programs to operate on the reservation. One of the major battles it has fought has been one of its own sovereignty. As will be explained later in the book, the lack of checks and balances in the Navajo Tribal government is one of its outstanding weaknesses. DNA has assisted in providing certain help to people with no political strings attached. Also, those without political influence have been able to receive help they have needed without having to resort to political ties. DNA has been able to take on large companies, other Navajo, the Tribal government, the State Governments and the Federal Government because of its independence and freedom from interference. In regard to the funding of DNA or other such legal services programs, it has been suggested several times in the past that the money be given to the Tribe or some other entity, like the state, in the form of block grants. This could mean that DNA, controlled by the Tribe, might not be able to take up a case against the Tribe. If it were to do so, DNA or the Tribe would be suing itself. Could DNA be used more easily for political purposes, intentionally or not, if controlled by the Tribe or some other entity? Would the cases it handles be directed in certain channels and cases which might not be politically advantageous to certain parties in government be dropped if DNA were not to be autonomous?

These are serious questions. Where can a poor Navajo or non-Navajo turn for help with no money if his or her individual rights are violated, or if one's little money were taken unjustly? DNA is one of the only places such people can turn to outside of help from family or public sentiment or community support.

DNA has several Units which specialize in certain cases. These Units are: a Litigations and Research Unit, a Tribal Law Development and Litigation Unit, a Preventative Law and Legal Education Unit and a Senior Citizens Unit.

DNA literature describes the help that a DNA lawyer can provide to qualified clients. A limitation on DNA is that it cannot handle any criminal cases unless appointed by a judge. Legal services can be rendered only in civil disputes such as divorces, tenant-landlord cases, consumer problems, minimum wage violations and suits against the government. Help can be provided in Land and Grazing cases in court. DNA provides help in family cases including child support, marriage problems, adoptions and guardianships, disposition of property in the event of death, in Welfare cases, in contract problem cases, in Trader cases, and in many other ways.

A startling fact is that over 123,000 cases were claimed to have been served since the beginning of DNA. At this time eight thousand to ten thousand cases per year are dealt with.

The Legal Services Corporation funds twenty-nine Indian Services Programs of which DNA is the largest. It is the only program with an Indian director and Peterson Zah has been director of DNA for a longer period of time than any other program director. He is also the only non-lawyer among the directors.

The DNA has taught Navajo people that they have rights and have access to the courts and that the legal system is available to the people. Before DNA was established there were no Navajo lawyers. The DNA has motivated young Navajos to study law, and at this time there are thirty Navajo law school graduates. One possible contributing factor regarding this is that DNA, with its attentive offices across the Reservation, has failed to provide housing. This caused lawyers from off the Reservation to live in the Navajo community. Many have lived with Navajo families and in hogans. This fact has encouraged and in some cases forced these lawyers to take an active part in the local community. In this way they provided role models for young Navajos to perceive what a lawyer is and how one can become a lawyer if he desires to do so.

The DNA has seven offices across the reservation. These are: Chinle, Arizona; Tuba City, Arizona; Mexican Hat, Utah; Shiprock, New Mexico; Crownpoint, New Mexico; Farmington, New Mexico and Whiteriver, Arizona. Its budget for 1981 was over two million dollars and DNA has over one hundred employees. Actually, about twenty percent of the operating money comes from governmental agencies other than Legal Services, Inc. and private foundations.

Each office is staffed by attorneys and Tribal Court Advocates, who practice law in the courts of the Navajo Nation, the Hopi Tribal Court and the Whitemountain Apache Tribal Court. The staff includes over thirty-three Tribal Court Advocates and thirty attorneys.

The Board is now comprised of 22 members representing neighboring tribes, law schools, bar associations and clients.

Significant Cases

From a brochure published in 1979 for the Shiprock Northern Navajo Fair honoring DNA the following significant cases were identified:

Some of DNA's major litigations —

- Rockbridge vs Lincoln: ordered promulgation and enforcement of meaningful governing traders on the Navajo, Hopi and Zuni Reservations.
- McClanahan vs Arizona State Tax Commission: prohibited state income taxation of Native Americans working and living on Indian Reservations.
- Goodluck vs Apache County: compelled reapportionment of Arizona's Apache County supervisor districts, creating greater Indian voting power.
- Martinez vs Santa Clara Pueblo: prohibited Federal court, except in limited circumstances, of complaints brought by a Tribal member against the Tribal Government under the 1968 Indian Civil Rights Act.

More major litigation is currently underway. Peshlakai vs Schlesinger seeks a Federal court order to require energy development power companies to assess the environmental impact of mining and milling uranium in the Eastern Agency. Also pending is the Teec Nos Pos case, a claim under Article 1 of the Treaty of 1868 (the treaty between the Navajo Tribe and the United States) on behalf of eleven Navajo families whose children were allegedly sexually assaulted by a boarding school employee. Another current case is based on the American Indian Religious Freedom Act and seeks to prevent the desecration of the San Francisco Peaks (Dook'o'ooslíid) by a recreational interest group which wants to build a ten-lift ski resort with enough runs to accommodate one thousand skiers per day.

Through the DNA attorneys, the Navajos have become more familiar with the Navajo Courts system. Over one-half of the thirty law school graduates have come directly from DNA projects. The DNA was able to convince the Tribe to provide support money for Navajo law students to attend the University of New Mexico law school.

Peterson Zah Comments and Interview

Peterson Zah has stated (personal interview, April 22, 1981), "The personality of the program and the program's leadership have everything to do with program success. We challenge students of the law to accomplish great things. We do not have any bureaucracy at DNA. This has attracted strong individuals, people who have wanted to contribute to the improvement of the Navajo People. When I bring in another lawyer I make him aware of his responsibilities. The new individual must be sensitized to the problems and needs of the reservation."

"In the Apache County vs Goodluck we had to go all the way to the Supreme Court to win. As a result DNA stayed active with the case and helped to organize people to force Apache County, Arizona to reapportion. Now, five and six years later we have what DNA won in court, DNA then socially advocated what had been won. We need to finish the job and educate the people to the situation."

The following is taken from an interview with Peterson Zah, Executive Director of DNA in late April, 1981.

Energy Development is the major problem facing the Tribe at this time. Our minerals and other resources which come from the ground are non-renewable. Once they are extracted, they are gone. Energy must be developed so that it helps the people and the Tribe as a whole. For the past ten years, or so, the Navajo Government has become too strong and the individual too weak.

Our work in DNA fights for the rights of the individual and often this fight is against the Navajo Tribal Government. At times when the Tribal Council passes a law, the ramifications of that law are not always realized.

Another problem which must be faced by the Navajo people is alcoholism. The acknowledgement of the problem of alcoholism will, in turn, help the Navajos, as individuals, to look to the future and make it a better world by finding solutions.

At what scale should we develop the Navajo resources? The energy companies hope to develop as much and as fast as they can. Their prime interest is money. The BIA is being led by the various energy companies. It might be well to develop one kind of energy resource at a time, developing each on a rotating basis and making it last for several generations. By being patient, the Navajo will eventually be able to develop the energy on their own. At the present time the Tribe is too concerned with the "fast buck" which comes from these large companies.

With development comes taxation. Peabody Coal Company pays $9 million per year in taxes to the state of Arizona for the coal which it mines out of Black Mesa. But out of this the Tribe only receives $800,000 in royalties. One solution might be for the Tribe to improve its taxation of companies on the reservation.

In one case which DNA took to the Supreme Court, McClanahan vs State of Arizona, the Navajo people won their right to stop paying

state taxes on income earned on the reservation when they live on the reservation. Individual Navajos feel a sense of loyalty toward the Navajo Tribe and this sovereignty should therefore be taxed as a means of providing further for the integrity and independence of the Tribe. Now eight years later, the Tribe is still not taxing its workers. If the Tribe were taxing income, member participation in the Tribe would increase and more services could be rendered.

The Tribe does not have a uniform commercial code. Such laws govern transactions between consumers and sellers as well as between businesses. There is no consumer recourse at the present time. This is a hindrance to the development of business on the reservation.

The Tribe also needs a water code. No law governs any agency regarding water preservation, conservation or use.

For their own protection Navajos must get more involved in laws and legislation, or the lack of legislation, and learn how these laws can affect their lives. In another DNA case, Apache County vs Goodluck, the Navajos in Apache County won reapportionment to bring about "one man one vote." In this situation DNA won the case and became involved in the politics of the situation. Through alerting Navajos in Apache County, the County was forced to reapportion itself.

Navajos should realize that the Tribal Government, or the Tribal Council, had an illegitimate birth. It was formed primarily to approve energy company leases. The Navajo people, themselves, should have the option to state their requirements — what they want for the good of the Tribe and what benefits are due them and how much power it should have. Therefore, a Navajo constitution is required. It is possible the Tribal administration could amass too much power. Consequently, the people must voice their desires and needs. There are no adequate checks and balances in the Tribal Government from the legislative branch to the administration, down through the judicial.

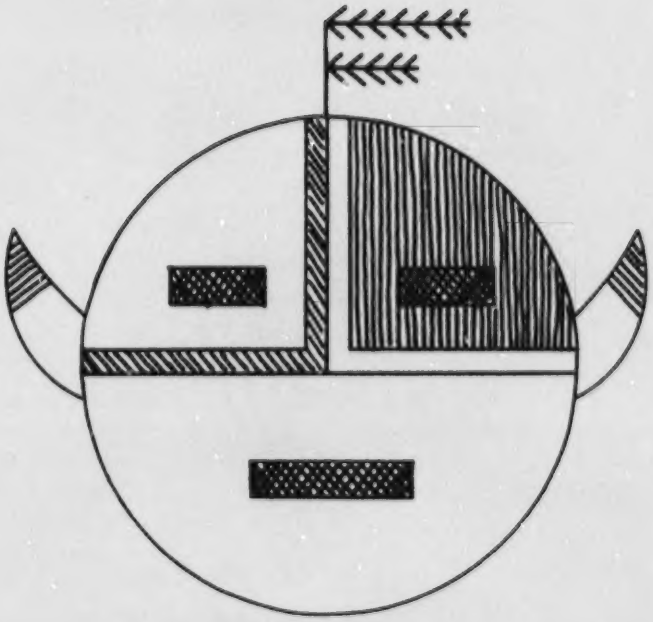
The word "constitution" has had an unfavorable connotation on the Reservation, because, as with older people, it is still associated with stock reduction. It can be political suicide to mention a Navajo constitution in a wrong context. But it still is needed and must be adopted for the benefit and future of the Navajo Tribe.

The Tribal Councilmen do not have a working staff nor do they have offices. This makes it quite impossible for them to do a proper job. They are in need of assistants in order to help them learn all aspects of numerous issues they must legislate over.

In the absence of a Tribal Constitution, the Tribe is in a maze of confusion. A constitution is for the good of all concerned, and through a constitution, it would be feasible for the Navajo people to declare their wishes and express their full requirements.

Unit 3

NAVAJO ECONOMIC DEVELOPMENT



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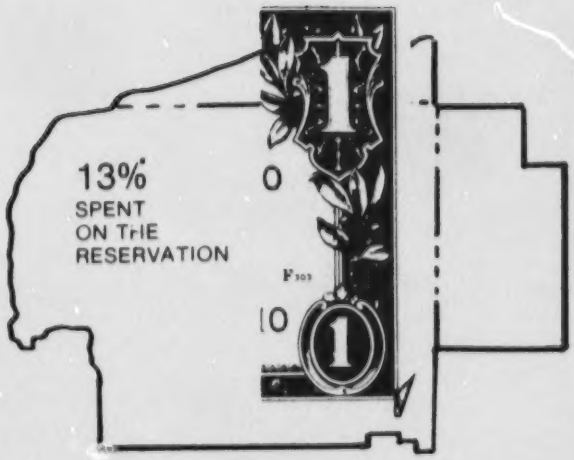
ONLY ONE-QUARTER OF ONE PERCENT OF NAVAJOS ARE INVOLVED IN NAVAJO BUSINESS



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SPENT OFF THE RESERVATION

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TAXES SAVINGS-OTHER

RESERVATION BUCK

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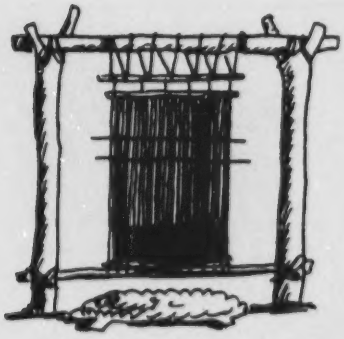
CHAPTER 7



The Navajo Economy

The Question of Economic Development — The Navajo Economy: Present Day Description — Employment and Unemployment — Economic Development — Navajo Nation Energy Policy

The Question of Economic Development

There should be no question concerning economic development. From a practical and actual standpoint it is imperative that economies continually develop and grow or they cannot provide for any increase in population. A stagnant economy of any type may throw a people into turmoil if it cannot provide adequately for the needs of the people it must serve.

A growing economy can provide greater freedom and creativity among its workers and developers. Moreover, it can provide for increased options in the work environment and allow for individual expression in the field of new and unique opportunities.

At the same time, uncontrolled economic development would destroy the very fabric of Navajo society. It could discard the Navajo people in its quest to fulfill the appetite of the Anglo society.

In the sphere of economic development, the Navajos must choose a plan which serves their needs and provides for their future. Only then is the development of natural resources viable or true. The interests of economic development for the United States may not be thought of as best served by a Navajo plan for further advancement. Obligation of this development for the Navajos is mandatory and is essential to serve their needs.

Governments can wait; they can plan and they can devote years to arriving at a conclusion. Governments can commission studies; they can hire consultants and experts, but as individuals the people cannot afford these costly investments. The Navajo people must be able to make a living now; they must be able to feed and clothe themselves now; they must be able to provide for the education and development of their children.

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Concerning economic development, the Navajo people have patiently waited. For years Navajo, Federal and State governments have planned, commissioned studies and still the people are hoping to see some type of improvement in their economic status. Poverty on the Navajo Reservation has remained acute. Too little from the plans and programs has been implemented. Most of the economic development on the Navajo Reservation is in the form of outside companies mining or using the Navajo mineral resources. The Navajo Tribe receives royalties from these developments. These royalties are what provides for much of the operation of the Tribal government.

Many Navajos, especially young Navajos, are becoming impatient. They need to be able to supply the needs of their families. These young Navajos cannot live off the land as many of their grandparents have done in the past. Sheep raising is dependent upon grazing permits. No new grazing permits can be issued; grazing is being cut back as it has since the mid-1930's with the advent of Navajo livestock reduction.

A great number of educated Navajos do not choose to live off the land. Some Navajos would argue that the traditional way of life is much better for the Navajo people. Others do not wish to choose the traditional way of life for themselves. Few would argue that Navajo traditions should not continue to be observed.

It is intersting to note that those who do not live in a traditional manner depend upon Navajo religion and traditional ceremonies for their own health and well-being. Navajo religion has its base in the traditional Navajo way of life. Tradition and religions in every society do undergo constant changes throughout all time. Certain aspects of Navajo religion are undergoing changes but fundamental basics of Navajo religion remain the same. Comparing inventories of Navajo ceremonies practiced over eighty years ago, some ceremonies are no longer practiced but the vast majority of these ceremonies are still observed and deemed appropriate.

In addition, Navajo ceremonies are more widely practiced today than they were thirty or forty years ago. An increase in Navajo prosperity shows an increase in Navajo population, increased mobility and perhaps a realization that the white man's ways can bring about economic benefits, greater material wealth, but not necessarily a greater sense of well-being, wholeness or health.

The Navajo are still classified as a poor people based upon their per capita income but they are relatively better off now than they were at any time over the past one hundred years since The Long Walk.

Few would argue today that the mental make-up of an individual has much to do with what that person is and what he may be able to accomplish. Many minority groups in America and around the world are struggling with an identity crisis. The Navajo people have been fortunate and wise in being able to maintain their identity — their sense of who they are.

The classical reason for studying history might well be that without an understanding of what events our society experienced, without knowing something about those who have lived in the past and how they shaped the way things are today, we cannot properly understand the nature of our world. Without this knowledge, how can we understa[illegible]hat course of action we should take to shape our future?

The Navajo, as a society and as a culture, have retained this understanding of their roots. This is not to say that every single Navajo person does or even wishes to do so but these elements and understandings of Navajo past and of Navajo traditions are alive and are lived by many thousands on the reservation.

This discussion has been pertinent because the reader cannot hope to understand the Navajo people without realizing that the Navajo people today are at a crossroads. As a group of people and as individuals, they must make fundamental choices about themselves and also cross from the Anglo culture to the Navajo culture many times each day in interactions with work, business, family and friends.

If this is confusing to the reader. It might help to understand the confusion which individual Navajos must feel, at times, concerning the worlds he or she must live in and choose between.

Where is economic development? It has not been lost in this discussion in that economic development cannot be thought of as simple choices and clear decisions made from those choices in terms of the Navajo people. In the economic development of the Navajo people, decisions will be made which affect the social, religious and traditional foundations of Navajo society.

In interviews with several prominent Navajos holding key and crucial jobs on the Navajo Reservation, two main elements of concern for the future have been voiced. One is concern over economic development and where this may lead the Navajo people. The other is concern over the social fabric and the social growth of the Navajos at the local or Chapter level. At first, the author concluded that these were two distinct and separate concepts or concerns. However, upon reflection, it is apparent these two concerns overlap and are intertwined at every level and are dependent upon each other.

It is the very people at the Chapter level who must make the fundamental decisions regarding the Navajo future as it concerns economic development and without certain degrees of continued development the Navajos will find it difficult to experience the very basic essentials for survival.

This area is one of the most important considerations for Navajos and for the Navajo Tribal Government today. Tribal Chairman Peter MacDonald has pledged to: "develop the Navajo Economy to meet the needs of the Navajo people and only then make the surplus available for all others." (p. 34 NNOEDP)

The Navajo Tribal Government includes within it a Division of Economic Development. This Division has within its structure various departments concerned with Commercial and Industrial Planning, Minerals, Navajo Nation Transit System, Air Transportation, Business Management, Shopping Centers and Energy Development.

The Navajo Division of Economic Development publishes yearly the Navajo Nation Overall Economic Development Program. The purpose of this division is to "develop and implement an orderly planning and development process for the Navajo Nation." (p. 24, The Chairman's Report Ending March 31, 1981 to the Navajo Tribal Council, The Navajo Nation, Window Rock, Arizona — 6-16-81).

"The division has obligated itself to make major improvements....to develop a solid economic basis." (*ibid.* p. 25).

A study of the Division of Economic Development will follow in this Chapter.

The Navajo Economy: Present Day Description[1]

The Land

The Navajo Reservation is comprised of an area of 25,000 square miles or 16,000,000 acres. It lies within the states of Arizona, New Mexico and

1. Most of the statistical information which follows is taken from the Navajo Nation Overall Economic Program, 1980.

Utah. The community of Chinle is geographically the most centrally located community on the Reservation.

The average elevation of the Reservation is 6,000 feet and is located on a semi-arid plateau. 55% of the Reservation land is classed as desert, 37% as steep semi-arid land and about 8% is forest and mountain country.

Annual precipitation varies from between 5 to 25 inches. The temperature extremes can vary from highs of over one hundred degrees Fahrenheit in the summer to under twenty degrees below zero in winter.

Traditionally, Navajos earned their living from the land by raising sheep and growing corn, beans, squash and melons as principal crops. Grazing is sparce as the vegetation grows in clumps and agriculture is wholly dependent upon the availability of irrigation water.

The People

The Navajo Reservation population was estimated in mid-1980 to be 148,832. An estimated 10,124 Navajos live in the border towns such as Farmington, Gallup and Page. This brings the total estimated Navajo population to 158,956 living in and around the Navajo Reservation. In addition, it is estimated that 13,850 non-Navajos live on the Reservation. This brings the total population of people living on the Reservation to 172,806.

Navajo personal income totaled slightly more than $340 million for the year 1978. In addition to personal income, transfer payments or payments made by government to individuals on the Reservation amounted to another $84 million. Transfer payments include social security, public assistance, etc.

A total of 45,521 Navajos are employed on the Navajo Reservation. Nearly 70% of Navajos on the Reservation live in the outlying rural areas.

Employment and Unemployment

About five thousand Navajos enter the overflowing job market each year. The median age of the Navajo population is currently seventeen years. Overall employment has increased from 20,140 in 1974 to 35,297 in 1979, to 45,521 in 1980. Unemployment went from thirty-five percent in 1974 to thirty-one percent in 1979 to thirty-nine percent in 1980.

The government sector provides 67.2% of all Navajo employment as of 1979. Mining employs 9%.

The CETA Jobs Program is funded by the federal government and administered on the Navajo Reservation by the Navajo Division of Labor. It employs 8,255 persons across the Reservation. The funds for this program (Comprehensive Employment and Training Act) have been threatened to be cut by the Reagan Administration. The result of this impact upon Navajo employment and upon unemployment could be severe.

The Navajo work force today tends to be unskilled and undereducated when compared to nation norms. The estimated average level of education of Navajos is approximately six grade years. The national average is nearly double this. Only 25.6% of Navajo males and 22% of Navajo females in the age group of twenty-five to thirty-four years of age had completed high school. This, again, is one-half the national average. However, 55,300 Navajo children were enrolled in schools on and off the Reservation and 2,300 Navajos graduated from high school in the school year 1979-80. In the spring of 1980, 4,250 Navajos were enrolled in college education programs.

The amount of money which flows onto the Navajo Reservation each year is about $400 million. The average per capita income grew from $800 in 1969 to $2,500 in 1978. Unemployment averaged 35% over the past decade. Nearly 85% of the employment on the Navajo Reservation is directly tied to Federal funds. Therefore, the bulk of these funds and jobs provide the necessary services.

TABLE 6

Navajo Population on the Reservation

Age	Number of Persons	% of Total Population
under 16	57,282	38.5
16-24	30,718	20.6
25-34	22,932	15.4
35-44	15,460	10.5
45-64	15,411	10.3
65 and over	7,029	4.7

Source: Division of of Economic Development, August 1980

TABLE 7

NAVAJO PERSONAL INCOME (Factor Cost) 1978
By Economic Sectors

SECTORS	AMOUNT
Agriculture and Livestock	$ 6,746,907
Mining	91,540,000
Construction	3,906,000
Manufacturing[1]	7,380,000
Trans/Comm/Util[2]	20,939,182
Wholesale and Retail Trade	1,636,400
Fin/Insurance/Real Estate	585,000
Services[3]	99,347,896
Government[4]	109,963,858
TOTAL	$341,746,243

Source: Division of Economic Development, August 1980

1. Includes NFPI, UNDC and Tribal enterprises as well as General Dynamics and other private sector firms.
2. Includes NTUA.
3. Includes Indian Health Service, Public Schools, NCC, ONEO, DNA and similar public services, as well as the few private sector services on the Navajo Reservation.
4. Includes the Navajo Tribal Government, CETA, the BIA and other federal and state agencies.

TABLE 8

TRANSFER PAYMENTS: 1978

Source	Amount
Navajo Tribe:	
General Assistance	$10,909,604
Work Assistance	265,462
Miscellaneous[1]	404,000
Federal:	
Social Security	1,950,000
Railroad Retirement Benefit	643,500
Women, Infant & Child Care	4,230,200
Donated Food	7,000,000
Veteran's Assistance	22,350,980
State:	
Categorical and General Assistance	30,000,000
Unemployment Insurance	6,264,000

Source: Division of Economic Development, August 1980
1. Includes burial, layette, burnout, housing materials, etc.

TABLE 9

GROSS NAVAJO PRODUCT, NATIONAL INCOME
PERSONAL INCOME, DISPOSABLE PERSONAL INCOME
1978

ITEMS	Aggregate
GROSS NAVAJO PRODUCT (In $ Millions)	508
Less (-) Resource: Depletion (at Market value)[1]	30
Less (-) Capital Consumption Depreciation (Nav. Plant & equip.)	10
Less (-) Indirect taxes	NA
NATIONAL INCOME	468
Less (-) Undistributed corporate profits[2]	42
Plus (+) Transfer payments	84
PERSONAL INCOME (factor earnings)	426
Less (-) Personal tax payments[3]	86
DISPOSABLE PERSONAL INCOME	340
Less (-) Personal Outlays[4]	330
PERSONAL SAVINGS	10

Source: Divison of Economic Development, August 1980
NA = Not Available

1. Depletion of Navajo resources at market value equals real cost to the Tribe in resources lost.
2. Proportion of corporation profits attributable to Tribal resources. Navajo resources capitalized value as proportion of capital investment by resource industries = 25 % profit = 15% X 2.b. assets = 300 m. 14% X 300m = $42 m.
3. Ave. tax (federal, state, local) on average Navajo annual income = 25%; 25% X 342 m = $86 m.
4. Average U.S. Propensity to Consume runs from 92-95%. Navajo propensity to consume average around 97%.

TABLE 10

Navajo Resident Population and Labor Force

Characteristics	Male	Female	Total
Population	74,138	74,694	148,832
Total Under 16 years old	28,552	28,708	57,260
Total 16 years and older	45,586	45,986	91,572
Not in Labor For (16 & over)	6,313	10,229	16,542
Potential Labor Force (16 & over)	39,273	35,757	75,030
Employed	24,668	20,853	45,521
Not Employed	14,605	14,904	29,509
Of Unemployed, those seeking work	9,326	9,307	18,633
Unemployment Rate	37.2%	41.7%	39.3%

Source: Division of Economic Development, August 1980

TABLE 11
NAVAJO AND NON-NAVAJO EMPLOYMENT
IN MAJOR NAVAJO NATION ACTIVITIES

	Navajo	Non-Navajo	Total	RATE OF CHANGE
AGRICULTURE				
1. Navajo Agricultural Products Industry	304	5	309	-11.9
2. Cameron Farming Project	30	2	32	+50.0
Total Agriculture Employment	334	7	341	-07.1
MINING				
Coal & Uranium Operations:				
1. Utah International	476	167	643	-00.6
2. Peabody - Black Mesa Mine	313	46	359	+03.1
3. Peabody - Kayenta Mine	447	71	518	+02.9
4. Pittsburgh & Midway Coal Co.	259	74	333	+12.0
5. Kerr-McGee Corporation	371	115	486	+10.0
6. United Nuclear	122	908	1,030	+04.5
7. Phillips Uranium Corp.	21	55	76	+42.1
8. Gulf Mineral Resources	78	45	123	-10.9
9. Amcoal, Inc.	16	18	34	+32.4
10. Ray Williams Mining	5	1	6	-0-
11. Conoco Uranium	4	5	9	-0-
12. Mobil	19	5	24	-0-
13. Western Nuclear	33	43	76	-0-
14. Consolidated Coal Co.	17	3	20	-0-
15. Superior Oil Company*	55	23	78	+24.4
16. Texaco*	19	17	36	-02.7
17. Southland Royalty*	5	2	7	00.0
18. Phillips Petroleum*	10	5	15	00.0
19. Kerr-McGee*	6	1	7	00.0
20. R-R/NL Well Services*	2	18	20	-0-
21. Navajo Oil Field Service*	11	11	22	-0-
Explorations Operations:				
22. Conoco	41	18	59	-0-
23. Mobil	25	5	30	+53.3
24. Exxon	1	1	2	-33.3
25. Phillips Uranium Corp.	12	30	42	-0-
26. Challenger Drilling Co.	5	5	10	-0-
Total Mining Employment	2,373	1,692	4,065	+10.9

The asterisks (*) indicate those organizations close to the Reservation border which have a significant impact on the Navajo economy. "Rate of Change" was calculated by comparison of 1979 and 1980 statistics. (-0-) indicates new entity or such entity was not accounted for in 1979, therefore, comparisons between the two years could not be made. (*) Oil and Gas Operations.

TABLE 11 - continued

	Navajo	Non Navajo	Total	Rate of Change
CONSTRUCTION				
1. Navajo Engineering & Construction Authority	402	9	411	+93.9
2. American Indian Engineering	17	6	23	+65.2
3. Chuska Development Corp./MK	87	89	176	+94.9
4. Chris Evans, Inc.	12	2	14	+64.3
5. J.D. Dutton	21	4	25	+16.0
6. Kealy Construction	4	10	14	-44.0
7. Neilsen, Inc.	45	30	75	+64.0
8. Peter Kiowits & Sons	10	36	46	00.0
9. American Mine Services, Inc.	3	54	57	-0-
10. Harrison Western	8	48	56	-0-
11. Sundt	114	252	366	-0-
12. ABOO Const. Co.	2	3	5	-0-
13. Agee Const. Co.	26	15	41	-0-
14. Mod Homes LTD	13	2	15	-0-
15. Beagles Const.	12	6	18	-0-
16. Bradbury & Stamm	37	24	61	-0-
17. Gardner Zembke	6	5	11	-0-
18. Musser Const.	1	4	5	-0-
19. TGK & McCarthy Const.	1	4	5	-0-
20. Carpenter Development	2	2	4	-0-
21. CDK	3	3	6	-0-
22. Burnett Const.	72	45	117	-0-
23. Granite Const.	10	57	67	-0-
24. Universal Const.	5	12	17	-0-
25. Cron Const. Co.	21	31	52	-0-
26. D.C. Speer Const.	19	22	41	-0-
27. Kent Nowlin Const.	26	33	59	-0-
28. Armstrong & Armstrong	10	26	36	-0-
29. Neilsons Const.	3	1	4	-0-
30. Lee Long Constracting	4	2	6	-0-
31. Flint Engineering & Const. Co.	9	35	44	-0-
32. Blair Electrical Const. Co.	1	5	6	-0-
Total Construction Employment	1,006	877	1,883	+74.3
MANUFACTURING				
1. General Dynamics	82	3	85	+17.6
2. Utah Navajo Industries	47	8	55	-41.5
3. Navajo Forest Products Industries	415	15	430	-36.0
4. Navajo Times	15	2	17	+17.6
5. Navajo Optics	16	1	17	+05.9
6. Shandin Systems	7	1	8	-0-
Total Manufacturing Employment	582	30	612	-29.3

TABLE 11 - continued

	Navajo	Non-Navajo	Total	Rate of Change
TRANSPORTATION/COMMUNICATIONS/UTILITIES				
1. Navajo Tribal Utility Authority	325	25	350	+10.9
2. Navajo Communications Company	154	48	202	-01.0
3. El Paso Natural Gas Company	120	36	156	-0-
4. Black Mesa Pipeline	31	7	38	+05.3
5. Arizona Public Service Co.	457	350	807	+05.1
6. Navajo Generating Station	285	457	742	+03.4
7. San Juan Power Plant*	166	834	1,000	-19.5
8. Cholla Power Plant*	61	538	599	-36.9
9. Coronado Power Plant*	32	407	439	-24.8
10. Atchinson, Topeka, Santa Fe RR*	500	1,100	1,600	-0-
11. Four Corners Pipeline	3	9	12	-0-
12. Texas-New Mexico Pipeline Co.	3	5	8	-0-
13. Hay Hot Oil	5	3	8	-0-
Total Transportation/ Communication/Utilities Employment	2,142	3,819	5,961	+06.8
WHOLESALE & RETAIL TRADE				
1. Fed Mart Complex	75	10	85	-29.7
2. Imperial Mart	19	1	20	-20.0
3. Navajo Arts & Crafts	10	0	10	-33.3
4. Griswold's, Inc.	17	1	18	00.0
5. Navajo Westerners	25	0	25	+36.0
6. Navajo Wool & Mohair Marketing Industries	11	0	11	-0-
7. Black Mesa Shopping Center	27	7	34	-0-
8. Al's Market & Lumber	22	13	35	-0-
9. Davis Chevrolet, Inc.	4	4	8	-0-
10. Navajo Trail Shopping Center	21	26	47	-0-
11. Window Rock Mall	18	2	20	-0-
Total Wholesale & Retail Trade Employment	249	64	313	+37.7
FINANCE/INSURANCE/REAL ESTATE				
1. Navajo Housing Authority	118	2	120	+66.6
2. Dehay Insurance	2	2	4	+25.0
3. Great Western Bank	12	14	26	-03.7
4. First State Bank	0	5	5	-0-
5. First National Bank	12	2	14	-06.6
6. Merchants Bank*	2	3	5	-1.6
7. Navajoland Credit Union	4	1	5	-16.6
Total Finance/Insurance/Real Estate Employment	150	29	179	+45.8

TABLE 11 - continued

	Navajo	Non-Navajo	Total	Rate of Change
SERVICES				
1. Thunderbird Lodge	35	5	40	-0-
2. Canyon de Chelly Motel	7	2	9	-0-
3. Wetherill Inn	9	3	12	-0-
4. Holiday Inn	52	10	62	-0-
5. Goulding's TP & Lodging	39	15	54	-0-
6. WR Motor Inn	53	3	56	-0-
7. Canyon deChelly Nat. Park Service	12	11	23	-0-
8. Indian Health Service	1,373	432	1,805	-12.7
9. Navajo Health Authority	128	25	153	+07.8
10. Sage Memorial Hospital & Navajo Nation Health Foundation	84	43	127	-02.3
11. Navajo Nation Family Planning	16	4	20	-0-
12. DNA Legal Services, Inc.	68	39	107	-01.8
13. Other Legal Services Combined	31	0	31	-0-
14. ONEO	1,159	19	1,178	+19.2
15. Utah Navajo Development Council	38	16	54	+07.4
16. Dineh Cooperatives, Inc.	8	1	9	-18.2
17. Navajo Business Dev. Corp.	3	1	4	00.0
18. Navajo Community College	291	285	576	-0-
19. College of Ganado	41	33	74	-17.8
20. A School For Me, Inc.	87	9	96	+32.3
21. St. Michaels Special Education	82	12	94	+04.2
22. Rough Rock Demonstration School	147	40	187	+41.2
23. Rock Point Community School	128	19	147	+13.6
24. Borrego Pass Community School	31	15	46	-02.1
25. Ramah Navajo School	261	92	353	+13.9
26. Shiprock Alternative School	22	3	25	00.0
27. Mission Schools	34	75	109	-0-
28. Public Schools	1,659	1,490	3,149	+01.1
29. Federal-BIA Schools	2,363	849	3,212	+22.7
Total Service Employment	8,261	3,551	11,812	+14.9
GOVERNMENT				
1. Navajo Tribe	2,905	138	3,043	+17.9
2. CETA	6,687	0	6,687	+10.0
3. Bureau of Indian Affairs	2,113	301	2,414	-22.4
Total Government Employment	11,705	439	12,144	+04.3*

Source: Division of Economic Development

Economic Development

Navajo Division of Economic Development

The concern for economic development on the Navajo Reservation began in the early part of this century with the first oil lease granted to Midland Oil Company in 1921. By that time the United States' quest for oil had resulted in the purchase of oil companies across the country. In that year the first mineral lease was granted and the concern for economic development on the Reservation began.

This was actually not a Navajo concern, for the Navajos were, for the most part, living off the land and making a living. The population was increasing and the land was sufficient to support those living on the Reservation.

Essentially, the Federal Government's desire has been for the development of Indians and of Indian land. Governmental policy has seldom sided with the Indians themselves and what they hold dear.

As early as 1863, evidence is found of the white man's desire to covet mineral wealth on the Navajo Reservation, General Carleton, the Navajo Indian Agent of the time wrote:

> *The evidence of rich gold fields, veins of silver and of inexhaustible mines of the richest copper, are of an undoubted character. I beg to ask authority to let, say, one-fourth of the command at a time, have one month's furlough to work in the gold mines on their own account. (p. 130 Pictorial History of the Navajo, From 1860 to 1910)*

In his book, *Pictorial History of the Navajo from 1860 - 1910*, Dr. Robert A. Roessel, Jr., puts forth the interesting and most probable reason for the removal of the Navajos and the cause for the Long Walk. The reason was General Carleton's belief that the Indian lands were filled with this mineral treasure and the best way to secure this wealth was with the removal of all the Indians to a remote location. In the 1920's, when the oil and other companies moved onto the Reservation, their concern centered around the Tribal approval for their mineral leases. The Tribal Council was primarily set up for this purpose. Little consideration was given the Navajos concerning economic development for their own benefit.

With the advent of the Navajo-Hopi Rehabilitation Act in the 1950's and when monies began to come in from coal and other mineral leases, tribal revenues from Federal programs and royalties paid from leases grew to unprecedented proportions.

However, once again the Navajo-Hopi Rehabilitation Act, passed by Congress in 1950, did not encompass the need of the Navajo. Secretary of the Interior, J.A. Krug wrote:

> *In a real sense, the work with the Indian cannot be considered completed until they have been assimilated into the general population. This program for the Navajos is a long step toward assimilation. (p. 21, Navajo Education, 1948-1978 - Its Progress and Problems by Dr. Robert A. Roessel, Jr.)*

The Navajo-Hopi Rehabilitation Act did provide unprecedented monies to the Navajo Reservation and did provide the beginning for large-scale, long-term economic planning for the Navajo Reservation. In the plan it was viewed however, that the resources of the Reservation were wholly inadequate to support the population of the Navajos. It was necessary to remove 20% of all Navajos from the

Reservation to find productive employment for them in cities. This concept influenced all planning and projects for years — a concept still mouthed today — that the resources of the Reservation could not support all Navajos and that it is necessary to remove as many as possible and bring them into the "real world."

Schools have prepared their curricula with this concept in mind, planners and government officials have informed communites of this and many Navajos have accepted it as fact.[1]

Overall Economic Development Program Committee

In 1961 the Tribal Council established the Advisory Committee to be the Over-all Economic Development Program Committee. During 1979-1980 this committee met monthly. Matters which came before the committee include: approval of oil leases, approval of homesite leases, authorizing the construction of chapter houses, overseeing the Tribal enterprises and concerns with Navajoland.

The Federal Government passed the Area Redevelopment Act of 1962 and the Economic Development Act of 1965. Both of these Acts required the input of the people being served and the Advisory Committee of the Tribal Council was confirmed as the body responsible for development activities under both acts. The actual planning for the Tribe was accomplished by the BIA.

The Tribe finally directed the planning in 1972 when it established the Office of Program Development. This office was charged with research, comprehensive planning, programming and implementation of major development activities. Most of its monies came from the Federal agencies of Housing and Urban Development and the Economic Development Administration.

In 1972 the Tribe published The Navajo Ten-Year Plan. Peter MacDonald writes in the beginning of the book:

> *....what is rightfully ours, we must protect; what is rightfully due us, we must claim. What we depend on from another, we must replace with the labor of our own hands and the skills of our own people. What we do not have, we must bring into being. We must create for ourselves.*

This expresses the spirit of the new era of economic development which has come forth over the past ten years or so.

The Ten-Year Plan brought out that over one hundred years had passed and the Federal Government had not yet fulfilled its obligations to the Navajo people. The Ten-Year plan was developed to seek assistance from the Federal Government to bring the Navajo "up to an equal footing with the rest of the nation." (p. 1, *Ten-Year Plan*) The main part of the Plan was to show the outrageous deficit which the Navajo people have to endure and it was the responsibility of the Federal Government to rectify this.

The Plan called for an investment of $1.9 billion over the ten-year proposal. However, this is to be balanced, the report states, by benefits of over $6 billion over the ten years of the program. Money was to be spent for programs in the areas of Health, Public Utilities, Public Services, Housing, Education and Manpower,

1. In doing inventory on all the resources, potential resources and ideas for development it is the author's opinion that the Navajo Reservation has more than enough to support its population today and for the growth of the future.

The following table summarizes the major catagories and expenditures under the Act.

TABLE 12

Authorized Allocated Expenditures Under
the Navajo-Hopi Rehabilitation Act by Area

Authorized		Allocated
$ 25,000,000	School Construction	$24,997,000
$ 4,750,000	Hospital and Health Facilities	$ 4,750,000
$ 2,500,000	Agency, Institutional and Domestic Water	$ 1,357,000
$ 9,000,000	Irrigation Projects	$ 6,617,000
$ 40,000,000	Roads and Trails	$38,238,000
$ 10,000,000	Soil and Moisture Conservation and Range Improvement	$ 7,097,000
$ 1,000,000	Development of Industrial and Business Enterprise	$ 238,000
$ 5,750,000	Resettlement on Colorado River Irrigation Project	$ 3,450,000
$ 500,000	Surveys and Studies of Timber, Coal and Minerals	$ 437,000
$ 3,500,00	Off-Reservaton Placement and Relocation	$ 194,000
$ 250,000	Telephone and Radio Communication Systems	$ 250,000
$ 5,000,000	Revolving Loan Fund	$ 1,800,000
$ 820,000	Housing and Necessary Facilities and Equipment	$ 26,000
$ 500,000	Common Service Facilities	$ 495,000
$108,570,000 - TOTAL AUTHORIZED	TOTAL ALLOCATED -	$ 3,500,000

Source: Navajo Education 1948-1978 - *It's Progress and Problems, Roessel*

TABLE 13

Total Assistance to the Navajo Tribe from the Economic Development Administration, U.S. Department of Commerce: 1966-1980

FY 66	Business loan for expansion of mill for Navajo Forest Products Industries	$475,000	BL
FY 67	50-acre industrial park at Ft. Defiance, Arizona (Site prep.)	126,000	PW
FY 67	50-acre industrial park at Shiprock, New Mexico (Site prep.)	153,000	PW
FY 67	Industrial water/sewer system for Shiprock, New Mexico	1,650,000	PW
FY 67	Forest management study	70,000	TA
FY 67	Technical assistance in development of community center design	1,000	TA
FY 67	Lake development for water sport recreation	67,783	PW
FY 67	Water/sewer consulting services	1,000	TA
FY 68	Townsite improvements for Navajo, New Mexico	130,000	PW
Fy 68	Business loan for commercial facilities at Navajo, New Mexico	270,300	BL
FY 68	Water storage facility at Kayenta Community	225,000	PW
FY 68	Water and sewer system for Tuba City	92,000	PW
FY 68	Industrial sewer system for Shiprock (supplement to EPA)	600,800	PW
FY 68	Business loan for Fairchild Semi-conductor Plant at Shiprock	548,467	BL
FY 69	Business loan for Fairchild Semi-conductor Plant	130,000	BL
FY 69	Service road to mining operation in McKinley County	1,783,200	PW
FY 69	Water system improvements at Buell Park	256,000	PW
FY 69	Planning grant	75,000	PG
FY 70	Water and sewer system at Chinle	1,000,000	PW
FY 70	Water and sewer improvements at Chinle (supplement to EPA)	280,000	PW
FY 70	Water and sewer system at Ft. Defiance	2,000,000	PW
FY 70	Water system improvements at Tuba City	910,000	PW
Fy 70	Water and sewer improvements at Tuba City (supplement to EPA)	310,063	PW
FY 70	Business loan for industrial building at For Defiance for General Dynamics	462,800	BL
FY 70	Overrun--industrial sewer system for Shiprock	84,000	PW
FY 71	Water system for Navajo Community College	1,190,000	PW
FY 71	Sewer improvements for Navajo Community College (supplement to EPA)	309,880	PW
FY 71	Planning grant	70,000	PG
FY 71	Water and sewer improvements at Shiprock	684,000	PW
FY 71	Design study for community development improvements at Shiprock	7,500	TA
FY 72	Overrun--water and sewer system at Ft. Defiance	296,800	PW
FY 72	Water and sewer improvements for Ft. Defiance and Window Rock areas	299,900	PW
FY 72	Water and sewer improvements at Shiprock	108,000	PW
FY 72	Overrun--water and sewer system at Chinle	98,330	PW
FY 73	Planning grant	69,382	PG
FY 73	Overrun--water system improvements at Tuba City	60,000	Pw
FY 73	Feasibility study for recreation development	2,500	TA
FY 73	Particle Board Plant and equipment for Navajo Forest Products Inds.	3,285,000	PW

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FY 73	76-acre industrial park at Church Rock, New Mexico	$1,088,000	PW
FY 74	Buildings and necessary equipment to establish a Navajo Wool Growers Marketing Program	697,000	PW
FY 74	Facilities and site improvements for Shiprock industrial annex	279,000	PW
FY 74	Water system to serve Ganado, Az.	1,200,000	PW
FY 74	Planning grant supplement	11,700	PG
FY 74	Planning grant supplement	86,000	PG
FY 74	Management assistance for Navajo Wool Growers marketing program	25,000	TA
FY 74	Construction material supply study	27,500	TA
FY 74	Feasibility study for Leupp Industrial Park	25,000	TA
FY 75	Planning grant	125,000	PG
FY 75	Community center at Canoncito	188,000	PW
FY 75	Overrun--buildings and equipment for Navajo Wool Growers marketing program	703,000	PW
FY 75	Headquarters for Block I	933,000	PW
FY 75	Feasibility study for skill center	30,000	TA
FY 75	Overrun--Navajo Forest Products particleboard plant	1,855,000	PW
FY 75	Planning grant	150,000	PG
FY 76	Fencing for irrigation project	212,000	X
FY 76	Overrun--site improvements to Shiprock industrial annex	41,000	PW
FY 76	Occupational training center	3,841,000	PW
FY 76	Two baseball fields	320,000	PW
FY 76	Planning grant supplement	37,500	PG-TQ
FY 77	Planning grant	75,000	PG
FY 77	Planning grant supplement	65,000	PG
FY 77	Livestock Production Feasibility Study	36,400	TA
FY 77	Water/Waste Facility (Mexican Hat)	295,000	LPW I
FY 77	Judicial Building (Chinle)	409,570	LPW I
FY 77	Judicial Building (Tuba City)	409,570	LPW I
FY 77	Court Facilities (Shiprock)	407,143	LPW I
FY 77	Water System (Kayenta)	2,436,030	LPW II
FY 77	Pre-School (Monument Valley)	114,173	LPW II
FY 77	Senior Citizen Center (Tuba City)	276,633	LPW II
FY 77	Fire Station (Ft. Defiance)	216,973	LPW II
FY 77	Campground (Monument Valley)	922,677	LPW II
FY 77	Water System (Window Rock)	526,330	LPW II
FY 77	Multi-purpose Building (Leupp)	469,560	LPW II
FY 77	Access Road Improvement (Monument Valley)	1,200,000	LPW II
FY 77	Apartments (Window Rock)	502,705	LPW II
FY 77	Water System (Many Farms)	1,241,860	LPW II
FY 77	Sewer System (Kayenta)	423,000	LPW II
FY 77	High School (Tohatchi) - (Site prep.)	1,539,796	LPW II
FY 77	Warehouses (NFPI)	286,610	LPW II
FY 77	Swimming Pool Cover	353,442	LPW II
FY 77	Administrative Headquarters (NIIP)	1,042,710	LPW II
FY 77	Block 2 Headquarters (NIIP)	2,000,000	LPW II
FY 77	Fertilizer and Pellet Mill (NAPI)	1,700,000	LPW II
FY 77	Booster Station - Water (Shiprock)	499,570	LPW II
FY 77	Water System (Newcomb)	222,960	LPW II
FY 77	Skill Center - Phase II (Crownpoint)	2,150,000	LPW II
FY 77	Day Care Center (Shiprock)	273,094	LPW II
FY 77	Airport (Shiprock)	86[illegible],000	LPW II
FY 77	Lodge Renovation (Window Rock)	125,230	LPW II
FY 77	NECA Headquarters Building (Shiprock)	344,737	LPW II
FY 77	Pre-School (Todahodakeenie)	114,173	LPW II
FY 77	Pre-School Bldg. (Montezuma Creek)	114,173	LPW II
FY 77	Emergency Water Supply	2,605,000	DRP
FY 77	Planning Grant	150,000	PG
FY 79	Planning Grant	150,000	PG
FY 79	Window Rock Shopping Center	450,000	PW
FY 80	Tribal Admnstrtn Complex-Phase I	1,500,000	PW
FY 80	Planning Grant	125,000	PG
FY 80	Tuba City, Kayenta, and Shiprock Shopping Centers Feasibility Studies	25,000	TA
		$57,746,124	TOTAL

SYMBOL CODES: PW=Public Works, BL=Business Development (Business Loan), TA=Technical Assistance, PG=Planning Grant, TQ=Transitional Quarter (Planning Grant), X=Job Opportunities Program (Title X), LPWI=Local Public Works Capital Development and Investments Program, LPWII=Second Phase of Local Public Works Capital Development and Investment Program, DRP=Drought Relief Program, *=Project was redefined for the Window Rock Shopping Center, Thus project totalled $1,538,000. Figures shown are for EDA approved amounts, and do not reflect actual expenditures.

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Development, Parks and Recreation, Land and Water, Roads and other Transportation and Research and Development.

The Plan pointed out of the money which is earned on the Reservation sixty-seven percent of each dollar is spent outside the Reservation, thirteen percent is spent inside the Reservation, twelve percent is devoted to taxes, saving receives three percent and other expenses take up the remaining five percent.

By 1980, the Ten-Year Plan had not been implemented but the reason for this was that certain changes in priorities had been necessary. The new plan for economic development has been stated in the 1980 Navajo Nation Overall Economic Development Program which has provided much of the source materials for this section.

Today the Tribe has placed the planning and technical responsibilities for economic development in the charge of the Division of Economic Development. The Tribal philosophy is that "in the long run, the type of economic development the Navajo people desire is one which produces a lasting job and wages which are above the subsistence level and compatible with their standard of life. These desires can be fulfilled by utilizing Navajo resources wisely and efficiently to improve Tribal economic performances." (p. 29 NNOEDP)

The Tribe now feels it is in the position to be able to bargain for more benefits in their behalf from its mineral leases. Without increased revenues it is doubtful that the Tribe can sufficiently develop the many alternative resources which it has yet to explore. Many of the current leases are inequitable. Now that the Tribe is receiving a larger share of money from its current leases, it feels it will be able to give a boost to both the Navajo public and private sectors.

The emphasis of the Division of Economic Development over the past two to three years and continuing into the future, has been to develop a strong basis for the long-run economic development needs of the Tribe. The plan is to use the mineral resources royalties and invest these in the remaining Navajo economy. That would mean the royalties would subsidize the rest of the economy. Hopefully, by the time the mineral resources no longer are providing such substantial yields, the surviving portion of the economy will be able to support the whole of the Navajo population.

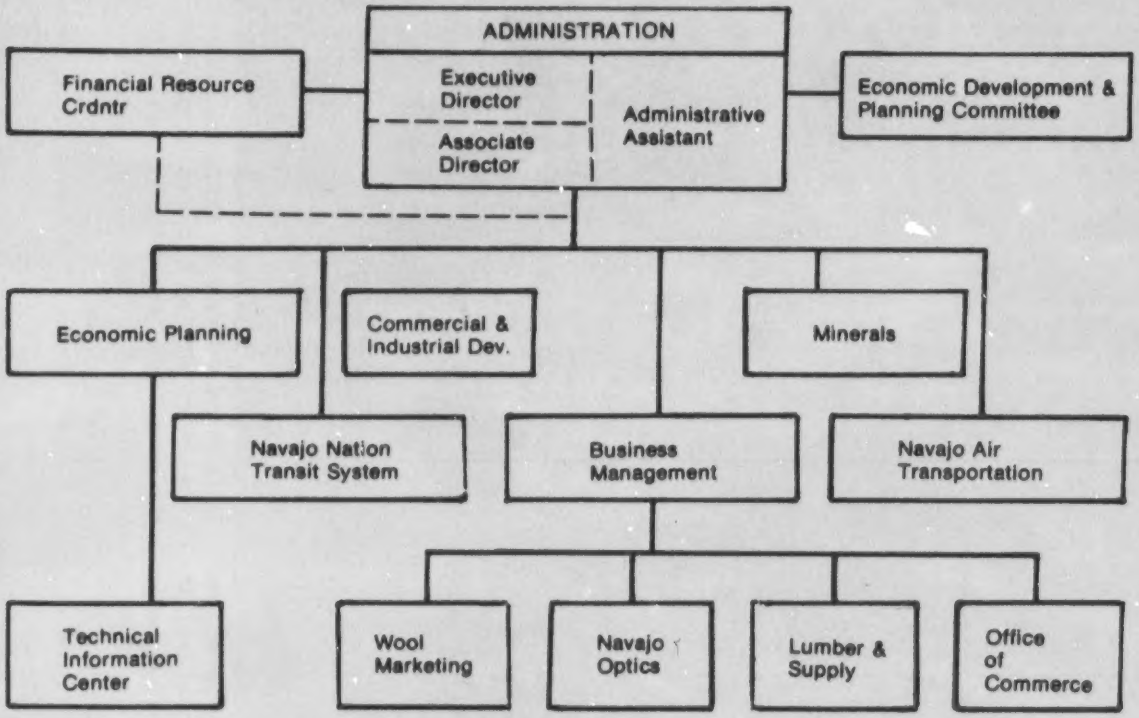
The Division is working on developing a viable economy on several fronts: [1]

A. The development of a basic commercial economy, i.e. goods and services, with the public and private sectors working in co-partnership. The main thrust here is in the development of major population centers on the Reservation having access to commercial centers or shopping centers. This will allow for Navajo-owned businesses, as well as business in general, to grow and expand. Those businesses which are not Navajo-owned can begin training programs in which Navajo personnel could learn what factors and knowledge seem necessary to survive in the business world.
B. The private economy will receive a boost by the revision of business-site leases which are difficult to obtain and maintain. However, with a business site, lease financing is still difficult. Technical assistance will be provided by DED staff members with specific expertise needed by business persons across the reservation. A Navajo Small Business Administration will be established to assist Navajo-owned small businesses with technical problems and in financing

1. Interview with Gilbert Harrison, Associate Director DEP

TABLE 14

FISCAL YEAR 1980
DIVISION OF ECONOMIC DEVELOPMENT ORGANIZATION CHART



Source: Division of Economic Development

problems when a business is established or when attempts are being made to start a business.

C. A Navajo Corporation Commission will be formed which will register every business located on the Reservation. A Navajo business, it is hoped, would be able to charter itself under Navajo Tribal code as a corporation if the proper legal provisions are made. This would also provide for the regulation of a Navajo Commercial Code to protect business transactions on the reservation and also to provide for the protection of consumers purchasing goods on the reservation.
D. A Navajo-owned business preference policy to be set up with perhaps a ten percent allowance for the Navajo bidders.
E. Support for the establishment of a private financial center to be established on the Reservation such as a Navajo Nation Bank but not to be owned by the Tribe. This would provide for a financial infrastructure on the Reservation. This institution would be established to support businesses as well as consumer and commercial loan needs. Jurisdiction over the bank is presently a problem. Should it be chartered under the state or the federal government? Three major long-range goals have been established:
   1. Quality of Life
      To offer the choice of Navajo lifestyle.
   2. Economic Diversification
      To develop Navajo job opportunities in all economic sectors.
   3. Full Employment
      To provide suitable employment for every Navajo.

Navajo Nation Energy Policy

The new Navajo Nation Energy Policy is the key to the Tribe successfully accomplishing its goals concerning economic development. On April 29, 1980, the Chairman signed the Energy Policy. The two provisions of the Policy are as follows:

Navajo Nation Energy Policy

1. *For the purpose of gaining control over the Navajo Nation's energy resource management and development; to assure optimal returns and equity to the Navajo people from energy resource development and to invest in economic development ventures which will replace benefits derived from depleting resources, thereby diversifying the economy; the Navajo Tribal Council hereby establishes the following as the Navajo Nation Energy Policy:*
   a) *All energy resources of the Navajo Nation shall belong to the Navajo Nation. Navajo energy resources shall be developed to meet the present and future needs and for the full use and benefit of the Navajo people.*
   b) *The Navajo Nation shall become self-sustaining with respect to energy by 1990.*
   c) *All development shall be consistent with the highest standards of resource conservation and environmental protection while taking into consideration and respecting the sacred nature of Navajo lands.*
   d) *The Navajo Nation shall maximize proceeds from energy resource development and take immediate steps to secure a more equitable share in its present agreements.*
   e) *As a sovereign government, the Navajo Nation shall exercise its right*

to receive all benefits from energy related federal legislation, regulations, and direct appropirations.

f) The Navajo Nation shall cause the efficient utilization of its own resources through Navajo-owned and controlled enterprises and ventures, emphasizing a development policy which promotes Navajo self-reliance, so that Navajo people have sufficient energy resources to meet their needs.

g) In the course of using outside management, technical and financial assistance; contracts and agreements shall emphasize Navajo ownership and the transfer of technology and management to the Navajo people.

h) Adverse results from resource development shall be minimized and mitigated whenever and wherever possible and the resulting costs shall be borne by the developer of the resource.

i) Recognize the special legal position and community needs and interest of the Eastern Navajo Agency, including the communities of Ramah, Alamo and Canoncito.

j) The interests and need of energy impacted Navajo communities shall be considered in all resource development and appropriate steps shall be taken to assure that all chapters and communities share the benefits from the development of energy.

k) The administration shall provide for the systematic and maximum utilization of its organizational bodies and staff resources in the development, review and evaluation of proposals and its associated documents.

l) The Navajo Nation, in the event of infeasible [high technology] projects, encourages alternative low technology energy resource development.

2. The Chairman of the Navajo Tribal Council shall prepare for the approval of the Advisory Committee, the Economic Development and planning Committee, and the Resources Committee of the Navajo Tribal Council.

a) A report describing how the Navajo Nation Energy Policy is being implemented, including a discussion and introduction of appropriate and proposed codes, amendments, regulations and a report on resource inventory.

b) A report outlining the progress of immediate action being taken by the Navajo Nation to institute interim measures acquiring more equitable shares from existing contracts, leases and agreements.

3. These reports shall be submitted no later than ninety [90] days after the certification of this resolution.

4. A moratorium is declared on all new energy development, including leases, permits and right-of-ways, except those presently under negotiation. This moratorium shall be in effect until the appropriate aforementioned reports are reviewed and approved by the appropriate committees of the Navajo Tribal Council.

The options available to the Tribe in obtaining additional revenue from existing leases are listed as follows:

a) renegotiation of leases to increase Navajo royalties to a fair market value
b) auditing oil and gas leases to determine if the Tribe is getting its fair share
c) collection of taxes on major businesses on the Reservation
d) the collection of a sulphur emission fee on polluters on the Reservation
e) manufacturing and marketing oil end-products,
f) terminate unfair leases and the Tribe will take over operations.

Tribal Chairman Peter MacDonald has estimated that it will take about $15 billion over the next ten years to fulfill the public and private program requirements of the Tribe. That would mean that current program expenditures would have to increase four-fold annually.

In 1979 the Tribe began to initiate its growth center strategy. Shopping centers were planned in Window Rock, Chinle, Tuba City, Kayenta, Shiprock and Crownpoint. An investment of $5.1 million was committed by the Navajo Tribe and the federal government for the Window Rock, Chinle and Tuba City projects.

The Navajo Tribal strategy is to redistribute funds along with the growth of annual income, which is designed to balance the economy. It is hoped that by 1986 total employment will increase by 21,000 jobs. At this rate full employment will be attained by 1990.

Many factors are contingent upon the success of this plan, such as the proper increase in royalties from leases.

The Navajo desire is, as well, to balance the economy and decrease the dependence upon government jobs.

The following chart projects employment levels of the Navajo economy, through 1986, based upon the current Tribal Economic Development Plan.

Chinle Comprehensive Health Center, June 1981 (hospital under construction.)

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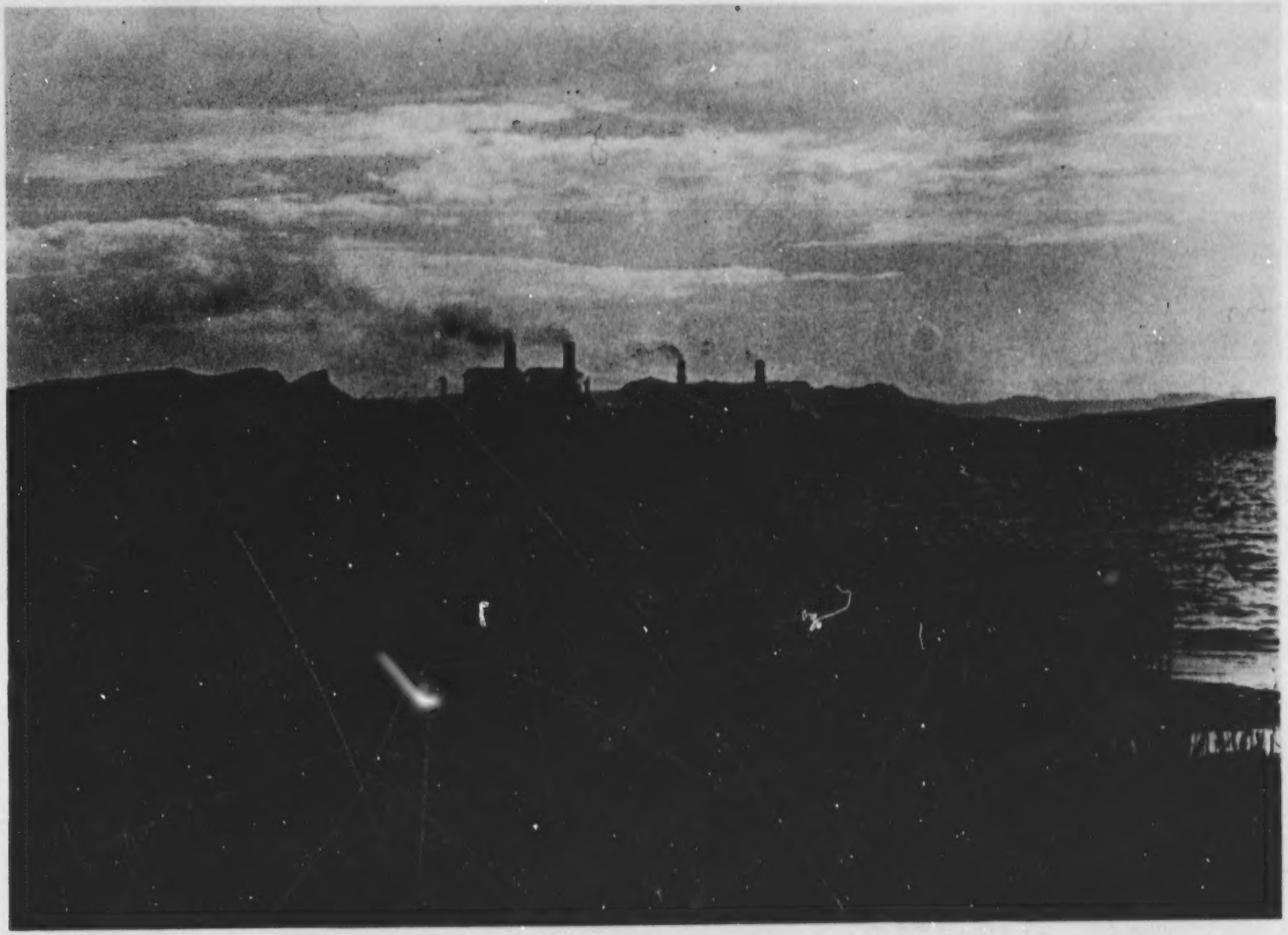
TABLE 15

PROJECTED EMPLOYMENT LEVELS OF THE NAVAJO ECONOMY
THROUGH THE BALANCED GROWTH OF ECONOMIC SECTOR
1979 Through 1986

ECONOMIC SECTORS	Growth Rate	1979	1980	1981	1982	1983	1984	1985	1986
Agriculture	6.0%	341	361	383	406	430	456	483	512
Mining	9.0%	4,045	4,409	4,806	5,238	5,709	6,223	6,783	7,393
Construction	10.0%	1,883	2,071	2,278	2,506	2,757	3,033	3,336	3,670
Manufacturing	12.0%	612	685	767	859	962	1,077	1,206	1,351
Transportation/Communications/ Utilities	9.0%	5,961	6,497	7,082	7,719	8,414	9,171	9,996	10,896
Wholesale/Retail	9.0%	313	341	372	405	441	481	524	571
Finance/Insurance/Real Estate	9.0%	179	195	213	232	253	276	301	328
Services	9.0%	11,182	12,188	13,285	14,481	15,784	17,205	18,753	20,441
Government	1.5%	12,414	12,600	12,789	12,980	13,175	13,373	13,574	13,778
Total Employment		37,290	39,347	41,975	44,826	47,925	51,295	54,956	58,940

* Does not include employment off reservation, at trading posts and small retail, or the traditional sector. It is estimated the overall growth rate of the economy will be 6.5% to 8%.

Source: Division of Economic Development



Four Corners Power Plant.

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Window Rock Mall.

Fishing on Wheatfields Lake.

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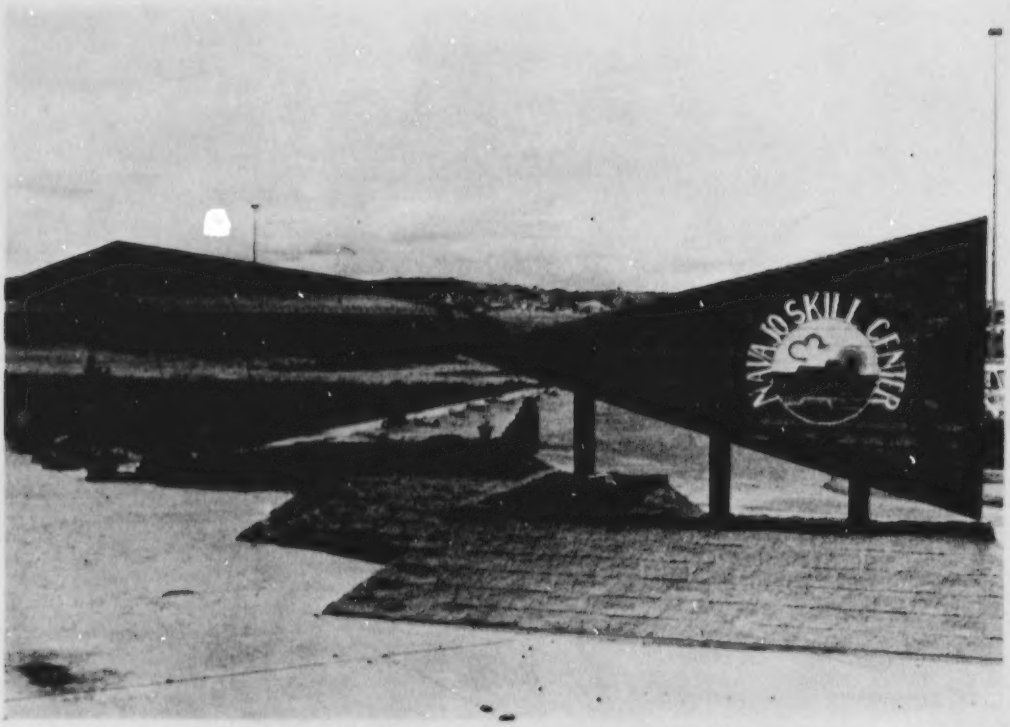

Navajo Skill Center, Crownpoint, New Mexico. Training unskilled Navajos for employment.

Livestock near home sites near Wheatfields Lake.

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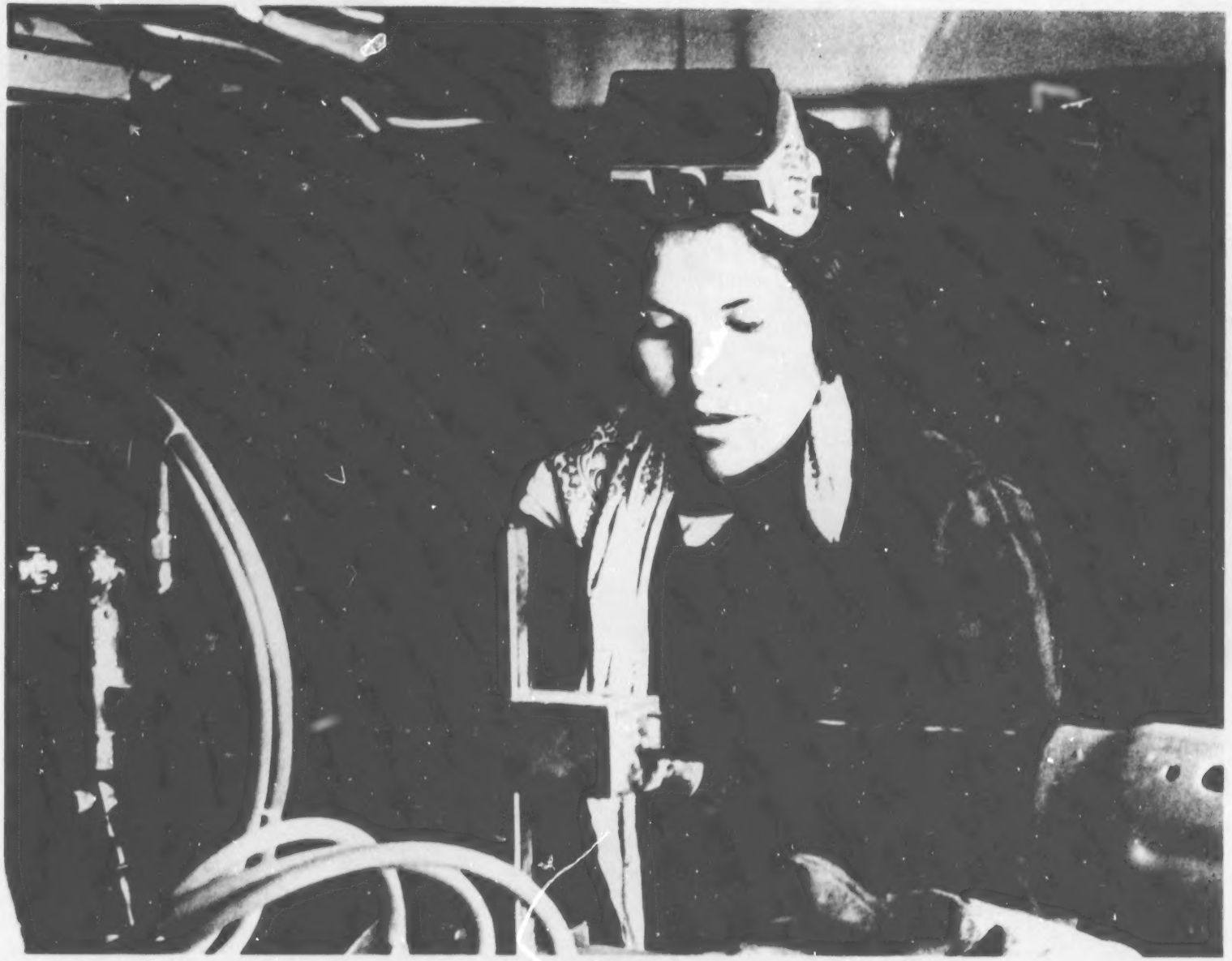
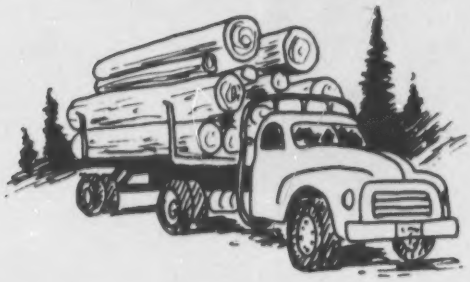


Girl receiving training as a pipefitter at Navajo Skills Center, Crownpoint, New Mexico.

CHAPTER 8



Navajo Natural Resources

Navajo Resources — Coal — Uranium — Oil — Navajo Indian Irrigation Project — Navajo Forest Products Industry

Navajo Resources

A major revenue generating source for the Navajo Tribe is the Reservation land and its economic resources. This includes such things as oil and natural gas, coal mines, power plants, uranium mines, the Navajo Indian Irrigation Project, Navajo Tribal Parks and recreation facilities, Navajo Forest Products Industry and the tourist industry.

Much of the efforts of the Tribal Administration are aimed at getting more revenue for the Tribal Government through the development of Navajo Resources. Since the United States Government deemed that the land and its resources belong to the Tribe as a whole it is the Tribal Government which will benefit from increasing revenues.

This Chapter will generally deal with those resources which have significantly contributed to Tribal revenues. While much should be said and discussed concerning resource areas and potential areas of development, this Chapter will only cover coal, uranium, oil, natural gas and the Navajo Indian Irrigation Project. Much of the material in this Chapter was gathered from the book *Mother Earth, Father Sky, and Economic Development* by Philip Reno and published by the University of New Mexico Press.

The significance of Navajo resources can be seen through the amount of revenue which has benefited the Navajo Tribe over the years as depicted in Table 16.

Agriculture is the one resource which the Navajo have, along with the Forest Products Industry, which cannot be taken away from the Tribe, nor can it be used up if proper conservation measures are employed. The problem with the resources

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of coal, uranium and oil is that their supply is limited, the market can fluctuate up and down and there can be an oversupply which can acually make the resource valueless for a period of time. While this is also true of the resources which grow from the ground, at least the supply or duration of the resource is almost unlimited and the damage to the environment is not such a factor.

At this time, the large sawmill operation at Navajo, New Mexico is shut down on account of the recession, in economic terms, of the housing industry across the United States. It may be a year or more before the market improves to the point at which it can be operating at near capacity.

Coal

It is estimated that 3.9 billion tons of coal is contained on the Navajo Reservation and is currently accessable through present technology. A like amount can be recovered from future technology when coal prices increase. Several times more coal can be recovered in layers even deeper in the ground.

The Navajo Reservation contains perhaps 2½% of the United States coal reserves. Acording to a report issued in 1975 by the New Mexico Bureau of Mines and Mineral Resources, the San Juan Basin (this includes much of the Navajo Reservation) contains 2,942 million tons of coal with less than 150 feet of overburden. With overburden depths of 150 to 250 feet another 2,769 million tons may exist. At depths over 250 feet and up to 4,500 feet may exist another 200 billion tons.

Principal mines now on the Reservation are the Pittsburgh-Midway mine located by Window Rock, the Peabody mine on Black Mesa by Kayenta, and by Shiprock is Utah International mining for the Four Corners Power Plant and the San Juan Power Plant.

Thus far some 2.6 billion tons of coal have been leased out to companies planning recovery. There remains 1.4 billion tons of coal economically feasible to recover which can be held for future use.

El Paso Natural Gas and Consolidation Coal Companies have leases for coal worth about $850 million to the Navajo Tribe.

The Navajo Tribe has traditionally received far less than it should from its coal reserves. The lease with Utah International was negotiated in 1957. This lease did not take into account inflation over the years. The Navajo were to receive 15 cents per ton of coal. From 1957 to 1975 this actually amounted to a loss to the Tribe of $2,397,295 when the inflation factor is plugged in.

It has been the policy of the Tribal Administration to renegotiate as many leases as possible to give the Tribe a fairer and greater return on the Navajo resources being expended. Coal, oil or uranuim resources are non-renewable. That means that once they are mined out they are gone forever.

Another use for Navajo coal is that it can be directly turned into electricity like at the power plants by Shiprock or Page. The electricity can provide monitary returns to the Tribe, as well.

The Tribe has studied the possibility of implementing a tax on coal and electricity resources rather than the royalty system used today. The Navajo Tax Commission has been reviewing the revenues which could be brought into the Tribe. The State of Arizona currently receives more revenue from coal mined at Black Mesa than does the Navajo Tribe. This seems unfair because the coal is Navajo coal. However, the State justifies this because of returning State services back onto the Reservation. Such services include: state highways, the State Patrol, unemployment services, welfare services, etc. The Navajo arguement is one that if

all the revenues paid to the State of Arizona would go directly to the Tribe, the Tribe could provide all those services that the State provides and still have $6 million left over.

Uranium

Over the past 3 years the selling price for raw uranium ore has dropped to the point where it has not been feasible to mine at a profit. The uranium market has been oversupplied from a demand standpoint. The mines between Gallup and Grants, New Mexico which employ many hundreds of Navajo workers are worked now slowly, until the price of uranium goes up. Some mines in the Four Corners area have completely shut down.

Environmental considerations and questions have also had an impact. Tailing piles have contaminated drinking water and rain run-off by Red Rock, New Mexico.

Many Navajo uranium interests have suffered from uncertainties and questions about how dangerous is uranium mining to the miners health. The proportion of miners suffering from malignancies and cancer run high. Communities run risks from radioactive water and dust.

At this time the revenue accrued to the Tribe is less than what it has been in the past because of the low market price. However, this market may turn around and then the potential earnings to the Tribe can become significant.

New extracting techniques to be employed by Exxon in the Crownpoint area allow the company to drill for uranium and pump it out in a semi-dissolved state similar to pumping out oil. This process, where it can be practically employed, could perhaps reduce costs over a mining situation and reduce the negative effects as a result of mining.

Absolute figures on the amount of uranium reserves in the United States and percentages contained on Navajoland are difficult to obtain. It is thought that 1/3 of the world's uranium reserves are in the United States and that American Indian Tribes may control up to 55% of the Uranium in the United States.

Three corporations hold the major uranium leases with the Navajo Tribe. They are Exxon, Kerr-McGee and United Nuclear. Rather than receive a royalty on the ore extracted, the Tribe negotiated with Exxon and has obtained an ownership share of the Navajo mining. This means that the Tribe can actually share in the profits generated from selling the uranium rather than just a percentage of the crude ore.

If a non-renewable resource is sure to rise in price as time goes on, then it would be to the Tribe's best interest to hold back on development to get the most amount of money out of it. But since market conditions on uranium steadily climbed until the last two years and then dropped below a level making mining profitable, perhaps it would be best to get as much as possible out of the resource when market conditions are good.

Oil

It was the oil companies who combed the country looking for oil in the early part of this century which came to the Navajo Reservation. As was discussed in Chapter 1 the reason a Tribal Council was formed was not for Navajo self-government but for the approval of oil leases.

Oil development has played a major role in the Tribe and its development over the past 3 decades. The monies which came to the Tribe from resource development allowed the Tribe to take initiatives on its own.

The Aneth oil field was discovered around 1955 and brought a boom to the entire Four Corners area as well as the Navajo Tribe. Over 200 oil wells were working in the Aneth field by 1977. Four main oil companies working the field are Texaco, Continental, Superior and Phillips.

On new wells the Tribe gets royalties of 16 2/3 % of the crude oil value. The rate for older wells is 12% and rental on the land of $1.25 per acre per year. The companies provide bonuses to the Tribe through a bidding process which acts as an added incentive to the Navajo to allow the companies to produce on the Reservation.

Table 17 depicts the income to the Tribe for oil leases from 1935 through 1975.

Since over 300 million barrels of oil have been produced from 1955 to 1975 the remaining reserves left on the Reservation are estimated to be only another 80 million barrels. It may be that by 1985 income from oil to the Tribe could become insignificant in comparison to what it has been in the past.

However, new oil recovery technology which has come into use over the past few years could be employed. In some oil fields in Texas liquified carbon dioxide is injected into the old wells and it is possible to again recover as much oil as was initially recovered from the wells under natural pressure. This is one method of secondary recovery from old wells. Another is the use of steam.

Natural gas production has also declined by 5.1% from 1966 to 1975.

The oil produced on the Reservation has brought in more revenue than any other Navajo commodity. The Tribe has received over $300 million from this resource.

It now appears that without any new findings on the Reservation of oil and gas reserves or without the use of new technology to increase recovery of old oil wells, the Tribe will not be able to benefit from this resource in the future as it has in the past.

Navajo Indian Irrigation Project

The Navajo Indian Irrigation Project (NIIP) is made possible by the Navajo Dam located east of Farmington, New Mexico. Its purpose is to irrigate a considerable area of farmland south and east of Farmington for the benefit of the Navajo Tribe. The crops grown can be sold to Navajos or put on the commodity market. The growing of crops on the land is operated by the Navajo Agricultural Products Industry (NAPI).

NAPI supplied the following information:

> *In 1942, the Bureau of Indian Affairs (BIA) and Bureau of Reclamation initiated joint land classification studies to determine irrigation possibilities. Approximatedly 400,000 acres were evaluated and 132,000 deemed irrigable. The Bureau of Reclamation (BOR) went on to select a dam and reservoir site as a part of a proposed Colorado River Storage Project to be located on the San Juan River. A special San Juan Technical Committee was formed in 1950 to: analyze existing data on the irrigation project; to recommend changes; to develop preliminary plans, and to determine the best uses for New Mexico's portion of the water.*
>
> *The Navajo Dam*
>
> *The Navajo Tribe was notified of the proposed Navajo Dam and its capabilities in 1953. A general agreement was reached in 1956 with the Navajo tribe, state and government authorities. The major points of*

this agreement were: that the developed lands be used soley for the Indians; that all suitable lands in the Shiprock-San Juan Valley be included in the proposed development; that irrigable farmlands were to amount to no less than 115,000 acres; and that allowable Navajo Tribal water be no less than 508,000 acre feet annually; that the United States was to build the project, and the Bureau of Indian Affairs was to maintain it upon completion. After this the Navajo Tribal Council petitioned Congress to act favorably on legislation to authorize the Colorado River Storage Project and participating projects which included the Navajo Irrigation Project.

Navajo Agricultural Products Industry

With settlement of land and water rights, the dam completed, and the irrigation plan authorized, the Navajo Tribal Council felt it imperative to shift its emphasis somewhat and begin examining alternate methods of achieving its long-range goals of financial and social self-sufficiency for the Navajo Nation. While the base would obviously be agricultural, various methods of indiviual versus collective farming and ranching techniques had to be evaluated. As a result, the Navajo Agricultural Products Industry was created to plan and guide development of NIIP.

Specifically, the Navajo Agricultural Products Industry was created pursuant to Resolution C.M.Y. 40-67 of the Navajo Tribal Council (dated May 11, 1967) for the purpose of administering the development and farming of the 110,630 acres of Navajo land utilizing the NIIP. As adopted, the primary tasks of NAPI have been: supervision of the irrigation project with directives from the Navajo Tribal Council; long-range policy determination for operation of NIIP; and the establishment of a program to facilitate an agri-business complex which will initiate an economic base for the Navajo Tribe resulting in a perpetuating viable economy for the Navajo Nation.

Subsequently, on April 16, 1970, the Advisory Committee of the Navajo Tribal Council passed Resolution ACAP-123-70 which established a Plan of operaton for NAPI and appointed a management board consisting of 13 members to carry out the Plan of Operation.

Together these two resolutions provided a basis for a complex, expanding farm enterprise, the primary 110,630 acre agri-business venture. In addition, as a result of an Advisory Committee Resolution passed on December 13, 1973, NAPI has been given full and complete jurisdiction over all properties, both real and personal, belonging to and/or used for the benefit of the Navajo Indian Irrigation Project. It also includes any property subsequently acquired.

Physically the primary agricultural enterprise consisting of 110,630 acres has been divided into 11 major blocks of approximately 10,000 acres each with 4 regional headquarters. Block 1,4 and 5 make up region 1; Block 2, 3 and 7, Region 2; Blocks 6, 8 and 9, Region 3 and Blocks 10 and 11, Region 4. Each regional headquarters will have warehouses, fuel stations, grain mills, administrative headquarters and any related support services necessary for the region's varied agricultural operations. An overall Administrative headquarters located on the 371 sites has been completed. It was occupied in May, 1979.

Irrigation water reached the first 10,000 acre block in 1976. A second block of equal size was planted and irrigated in the summer of 1977, while a third 10,000 acre block was cultivated in the summers of 1978 and 1979. NAPI's current plan is to add 10,000 acres annually

until all of the 110,630 acre enterprise is irrigated and cultivated. The primary crop of each block will vary according to market requirements. Alfalfa, barley and pinto beans are currently the dominant crops, but additional crops and processing methods are under investigation. NAPI has its own marketing division which has been successfully handling sales on the open market with most products being trucked to its destinations.

Community Benefits

NAPI has been growing with the San Juan Basin. It employed 450 people in 1980 with a $3.2 million payroll. Over $4 million of goods and services were purchased from local venders in addition to construction contracts awarded in the area by the BOR and the BIA.

In 10 years, planners anticipate that NAPI will employ 2500-3000 people in direct farm and agri-business ventures.

The NAPI farm has been and will be beneficial to the San Juan Basin Economy. Local employment increases with each block. In 1979, the community of Ojo Amarillo, located in Block 2, was completed. The master plan for this housing project encompasses 50 mutual help and 150 low-rent units with supporting facilities, roads, a town center, fire stations, police protection, and a school nearing completion. In addition to existing Ojo Amarillo, 150 new homes were constructed in 1980 on Blocks 1, 2, and adjacent to the Main Headquarters building.

Navajo Forest Products Industry

In 1959 the Navajo Forest Products Industry was created by the Navajo Tribal Council and was given responsibility for all Navajo lumber production. The Council approved $12.5 million for this endeavor. The construction of a new town and sawmill at Navajo, New Mexico was begun.

A Management Board was formed to provide guidance to NFPI to operate as if it were a major corporation. The assets of NFPI were valued in 1976 at over $26 million. The town of Navajo had a population in 1975 of 1820 persons. In 1976 the sales of NFPI exceeded $9 million and of this money about one-half went for wages to Navajo workers, and one-quarter went to the Tribe in "stumpage" payments. Ninety-five percent of the timber NFPI works is ponderosa pine.

Over 2,000 miles of roads in Navajo forests have been constructed by NFPI in its pursuit of lumber. Of these roads 400 miles are being permanently maintained.

On account of the success of NFPI it has been used as a model for other Tribal Enterprises but no other has been as successful.

The Management of NFPI plans for the cutting of the timber as conservation measures are employed. An initial cutting cycle was completed in 1978. This allowed an annual cut averaging 45 million boardfeet of lumber. This is about 35% of the working stand of timber. The plans are for 20 year cycles which will protect the life and continued use of the timber.

The Master Plan for the cutting of the Navajo Forests was revised in 1970 and it was proposed that there be an annual cut of 40 million boardfeet per year. This level of cutting would provide a steady timber stock of 1.8 or 1.9 million boardfeet.

Some questions are raised by NFPI with the grazing of sheep and goats and other forms of livestock in the forests. Competitive use of the same lands for livestock and for timber had not been free from controversy. NFPI states that the uncontrolled grazing of the forest lands will damage the ability of the timber to sustain itself.

The jurisdiction of the Navajo forests is in the hands of the U.S. government and administered by the BIA Forestry Division. A problem has been that these offices have been understaffed and the Tribe has not had the support in managing and planning the forests' use that it is entitled to.

Except for times of recession in the general U.S. economy, the Navajo Forest Products Industry does extremely well in providing a needed and valuable resource to the country and provides much needed jobs and revenue for the Navajo people.

TABLE 16

TIMBER PRODUCTION AND NAVAJO ECONOMIC BENEFITS, NAVAJO FOREST PRODUCTS INDUSTRIES, 1964-76

	Production		Economic Benefits		Employment	
	Lumber Sold Board Feet	Total Sales Value	Net Profits	Stumpage payments	Navajos	Total Navajo Earnings
1959	18,611,772	$ 1,983,577	$ 177,998	132,243	166	$ 487,530
1960	—	—	—	—	—	—
1961	—	—	—	—	—	—
1962	—	—	—	—	—	—
1963	—	—	—	—	—	—
1964	—	—	360,348	277,942	393	1,076,450
1965	46,512,000	—	447,194	321,841	397	1,188,494
1966	48,794,000	—	439,469	324,228	413	1,242,219
1967	45,806,000	3,849,243	310,245	479,129	445	1,431,040
1968	49,403,000	4,773,794	533,363	329,748	452	1,525,597
1969	45,066,000	6,041,730	1,573,716	872,598	504	1,802,541
1970	46,813,000	5,540,072	404,402	1,065,441	471	1,984,058
1971	48,776,466	5,635,826	691,692	620,704	445	1,928,454
1972	52,456,727	7,770,468	1,913,419	1,281,015	443	2,165,927
1973	49,960,000	8,947,615	2,535,015	1,637,956	490	2,378,740
1974	50,900,000	10,768,165	2,911,037	2,857,280	524	2,850,966
1975	37,983,000	6,953,306	(46,551)	1,656,435	564	3,048,742
1976	—	9,687,556	200,993	1,772,931	604	4,395,994

Source: Annual Reports 1966-75, Navajo Forest Products Industries (Office of Program Development tabulation)
1959 - Fiscal year before NFPI began
1964 - First fiscal year of full operation

TABLE 17

TRIBAL REVENUES AND PERCENTAGE DERIVED FROM MINERAL LEASING

	Mineral Revenues	Minerals as % of Total Income
1958	$30,629,792	93%
1959	19,540,713	85%
1960	18,536,890	79%
1961	20,058,220	82%
1962	16,942,904	77%
1963	18,036,182	76%
1964	34,030,227	88%
1965	17,960,805	77%
1966	12,841,958	65%
1967	13,253,804	62%
1968	16,333,341	69%
1969	16,526,743	62%
1970	19,043,792	42%
1971	26,448,506	51%
1972	19,561,915	41%
1973	26,316,176	28%
1974	20,583,984	49%
1975	27,549,392	70%

Source: Michael Benson, *The Navajo Nation and Taxation.* Reno, *Mother Earth, Father Sky and Economic Development*

TABLE 18

NAVAJO OIL AND GAS PRODUCTION 1955-1975

F.Y.	Navajo Oil Production (Barrels)	Navajo Gas Production (Mcf)
1955	56,735	10,506
1956	149,046	655,288
1957	1,299,598	1,225,300
1958	5,806,177	857,691
1959	30,185,979	10,271,844
1960	32,434,131	26,190,503
1961	31,248,548	32,215,658
1962	27,899,683	36,573,481
1963	24,659,808	34,017,765
1964	22,112,992	29,071,681
1965	16,601,807	22,315,727
1966	14,786,391	11,054,138
1967	16,154,806	15,383,393
1968	21,226,175	19,447,424
1969	17,974,507	9,919,019
1970	13,289,868	7,865,289
1971	7,853,693	19,410,756
1972	8,367,478	35,406,262
1973	11,718,920	4,576,567
1974	10,313,336	4,558,968
1975	10,381,904	5,625,589
TOTAL	324,521,582	332,682,869

Source: Reno, *Mother Earth, Father Sky and Economic Development.*

TABLE 19

NAVAJO TRIBE OIL AND GAS INCOME

F.Y.	Rent	Royalty	Bonus	Total
1935	$ 3,600.00	$ 45,903.00	$ 0	$ 49,503.00
1936	800.00	56,079.00	0	56,879.00
1937	0	70,810.00	0	70,810.00
1938	3,600.00	70,224.00	0	73,824.00
1939	3,600.00	56,183.00	0	59,783.00
1940	500.00	44,533.00	1,501.00	46,534.00
1941	0	37,683.00	0	37,683.00
1942	4,650.00	36,625.00	3,720.00	44,995.00
1943	4,650.00	30,368.00	33,953.00	68,971.00
1944	4,750.00	28,169.00	0	32,919.00
1945	4,650.00	33,340.00	7,056.00	45,046.00
1946	8,250.00	34,745.00	0	42,995.00
1947	54,603.00	[illegible],000.00	166,925.00	263,528.00
1948	121,586.00	169,566.00	861,317.00	1,152,469.00
1949	80,979.00	51,195.00	159,222.00	291,396.00
1950	107,385.00	43,720.00	227,828.00	378,933.00
1951	112,853.00	47,519.00	1,084,908.00	1,245,280.00
1952	211,224.00	44,208.00	1,173,116.00	1,428,548.00
1953	245,365.00	44,010.00	4,872,540.00	5,161,915.00
1954	877,767.00	39,899.00	4,392,536.00	5,310,202.00
1955	978,792.00	49,965.00	513,306.00	1,542,063.00
1956	1,048,160.00	127,865.00	300,659.00	1,476,684.00
1957	1,411,562.00	275,034.00	33,132,886.00	34,819,482.00
1958	1,757,836.00	643,534.00	26,391,683.00	28,793,053.00
1959	1,843,918.00	9,876,104.00	3,603,928.00	15,323,950.00
1960	1,659,044.00	9,339,502.00	685,500.00	11,684,046.00
1961	1,806,148.00	10,617,839.00	2,715,148.00	15,139,135.00
1962	1,629,284.00	10,239,498.00	1,199,437.00	13,068,219.00
1963	1,539,458.00	11,042,125.00	1,590,873.00	14,172,456.00
1964	1,467,058.00	9,464,751.00	19,948,376.00	30,880,185.00
1965	2,869,888.00	9,900,752.00	5,441,828.00	18,212,468.00
1966	1,823,578.00	6,566,832.00	5,288,616.00	13,679,026.00
1967	1,018,289.00	5,485,953.00	673,953.00	7,178,195.00
1968	1,026,751.00	5,261,939.00	2,451,823.00	8,740,513.00
1969	1,306,085.00	6,107,593.00	2,677,101.00	10,090,779.00
1970	826,870.00	5,214,455.00	213,016.00	6,254,341.00
1971	NA	5,148,365.00[a]	NA	
1972	NA	5,233,916.00[a]	239,873.63[b]	11,001,123.10[b]
1973[c]	190,000.00	6,221,061.94	401,397.57	6,853,269.88[d]
1974[c]	507,327.44	8,611,582.27	4,819,920.50	13,977,645.80[d]
1975	753,539.14	12,105,258.29	0.00	12,858,797.43

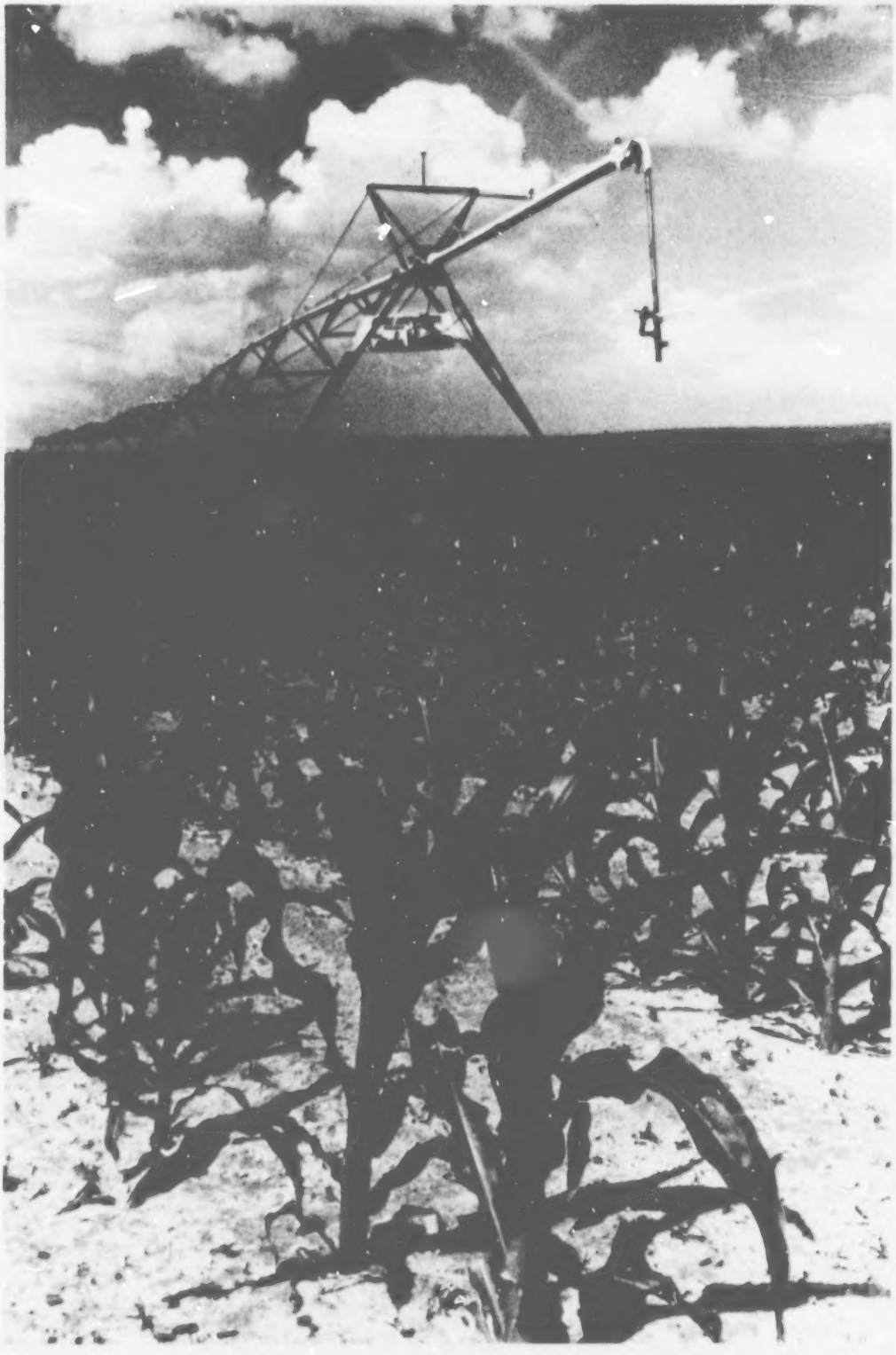
Sources:
[a] Report: "Utilization Fuel Resources"
[b] Annual Report of the Navajo Nation 1972
[c] Annual Report of the Office of Minerals Development 1974
[d] Figures include revenue generated by LPG also Reno, Mother Earth, Father Sky and Economic Development.

TABLE 20

ROYALTIES PAID THE NAVAJO TRIBE BY UTAH INTERNATIONAL, INC., 1957-1975, IN CURRENT AND IN 1958 DOLLARS, AND GAIN TO UII AND LOSS TO NAVAJO TRIBE IN 1958 AND 1975 DOLLARS

Year	Royalties Paid Navajo	G.N.P. Deflator (1958=100)	Value of Royalties Paid Navajo 1958 $	Tribal Loss/ UII Gain 1958$	1975$
1957	6,080	97.5	6,236	(156)	
1958	12,160	100.0	12,160	-0-	
1959	12,160	101.6	11,969	191	
1960	24,320	103.3	23,543	777	
1961	24,320	104.6	23,750	1,070	
1962	24,320	105.8	22,987	1,333	
1963	155,244	107.2	144,817	10,427	
1964	292,540	108.8	268,879	23,661	
1965	334,827	110.9	301,918	32,909	
1966	276,998	113.9	243,194	33,804	
1967	340.429	117.6	289,480	50,949	
1968	325,029	112.3	265,764	59,265	
1969	445,756	128.2	347,704	98,052	
1970	910,904	135.2	673,746	237,158	
1971	1,004,404	140.1	716,919	287,485	
1972	1,041,286	144.7	719,617	321,669	
1973	1,108,398	153.7	721,144	387,254	
1974	1,043,420	170.1	613,416	430,004	
1975	910,880	186.1	489,457	421,423	
Total	$8,293,475		$5,896,200	$2,397,275	$4,427,831

Source: Royalties paid Navajo Tribe, Tribal Minerals Department, Philip Reno - *Mother Earth, Father Sky and Economic Development.*



Sprinkler system at N.A.P.I.

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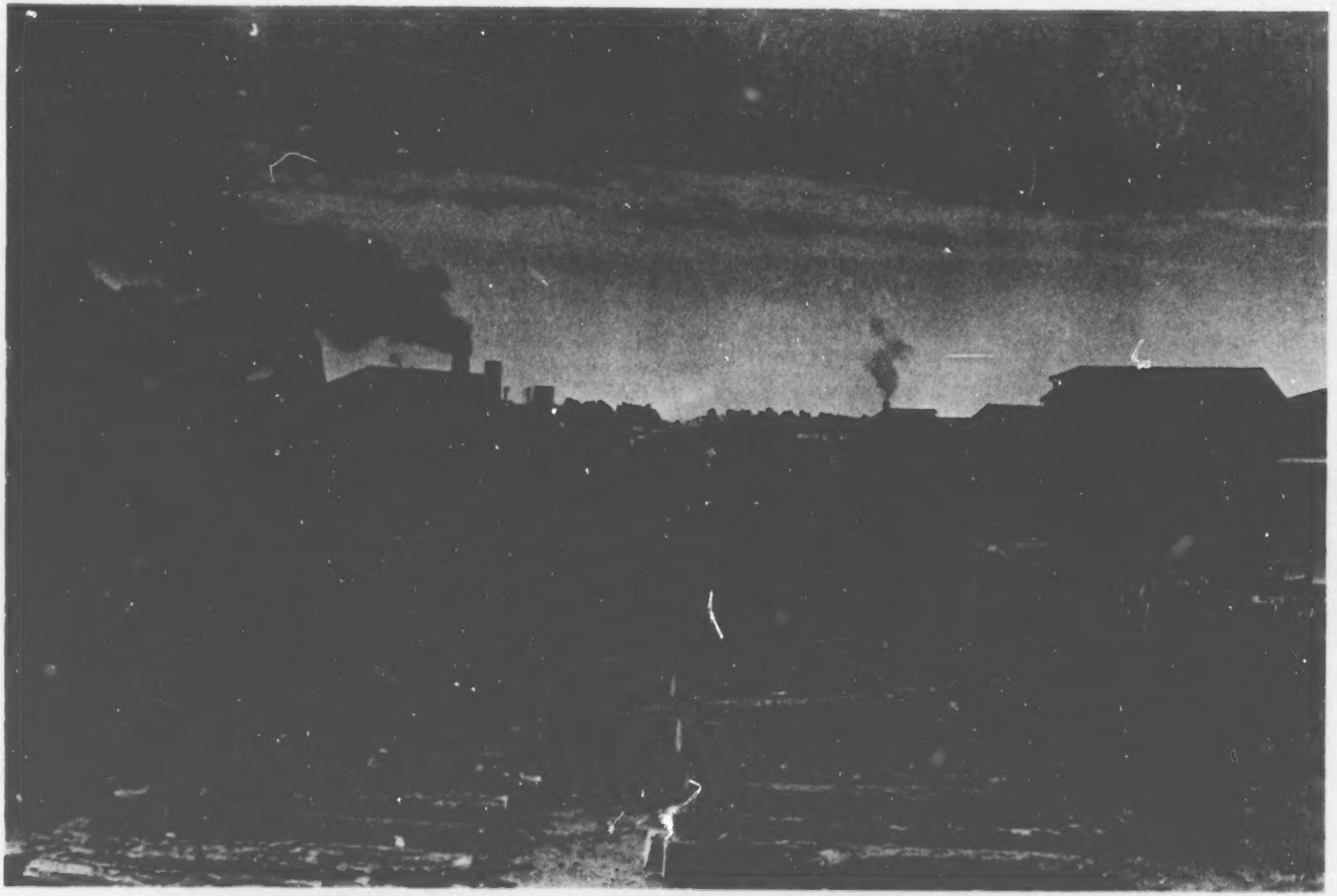

Sawmill at Navajo, New Mexico

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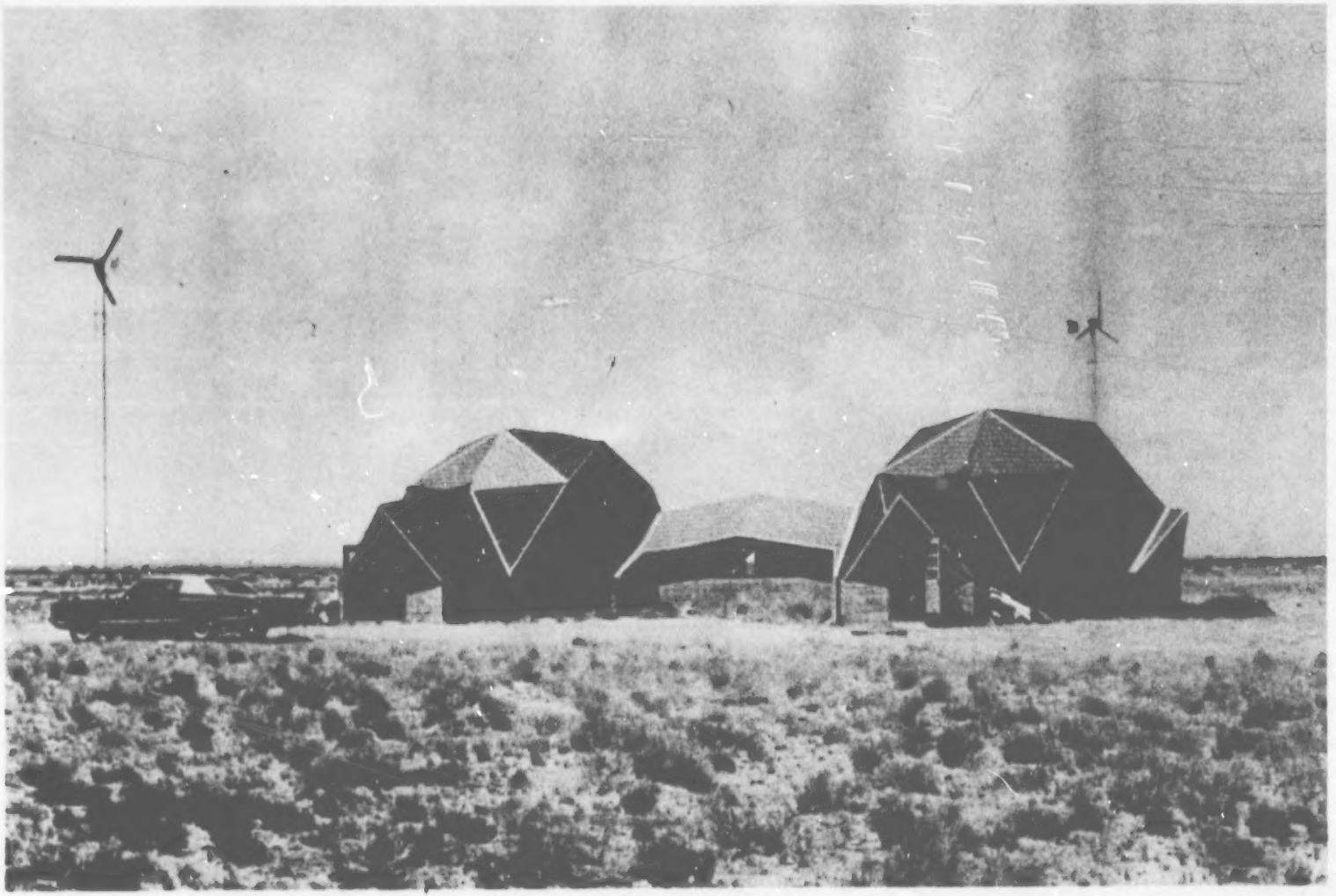

Wind power is used here to generate electricity for this remote school, Bird Springs School, Bird Springs, Arizona.

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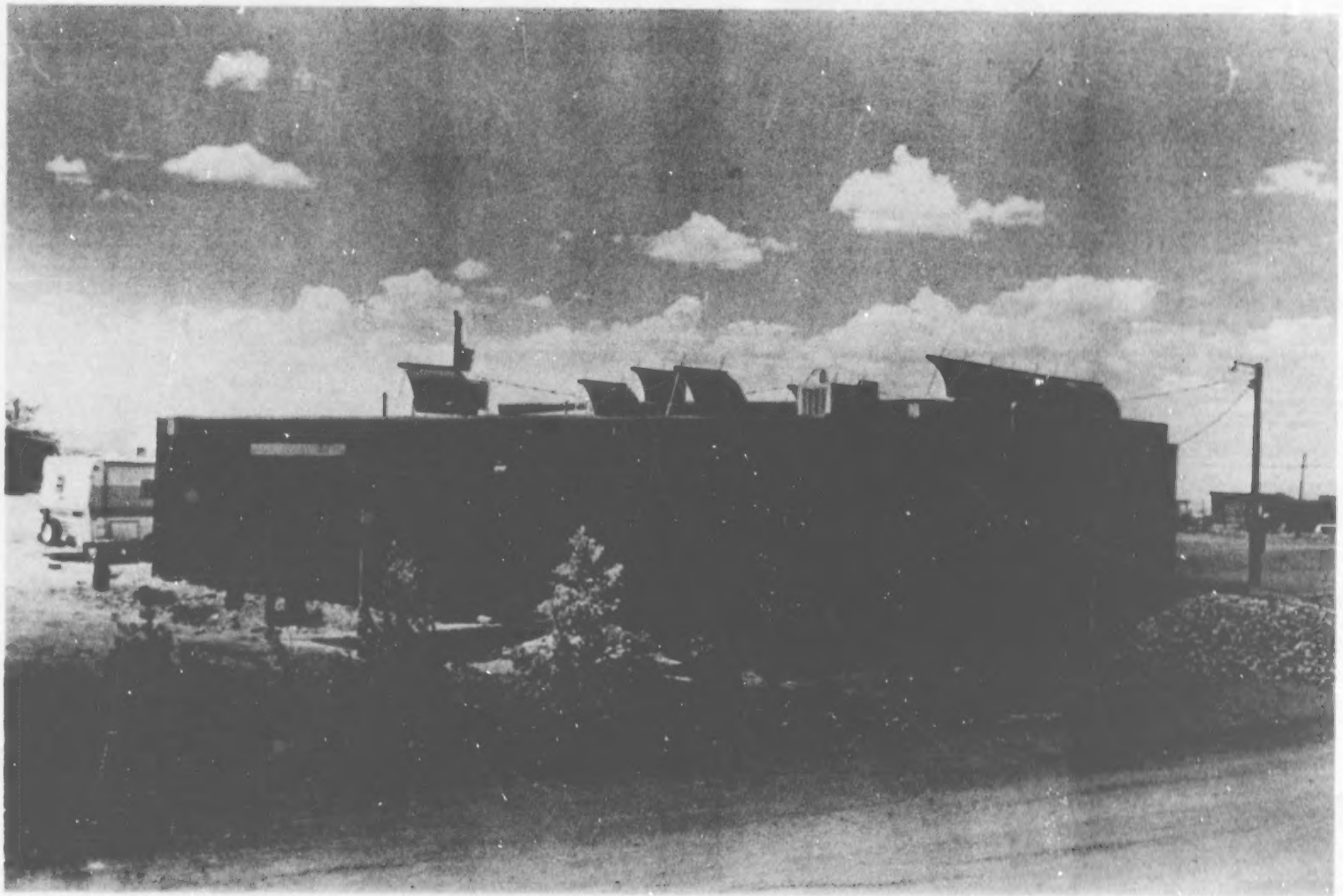

Solar panels on the Chinle Chapter House, Chinle, Arizona.

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Four Corners Power Plant, Farmington, New Mexico.

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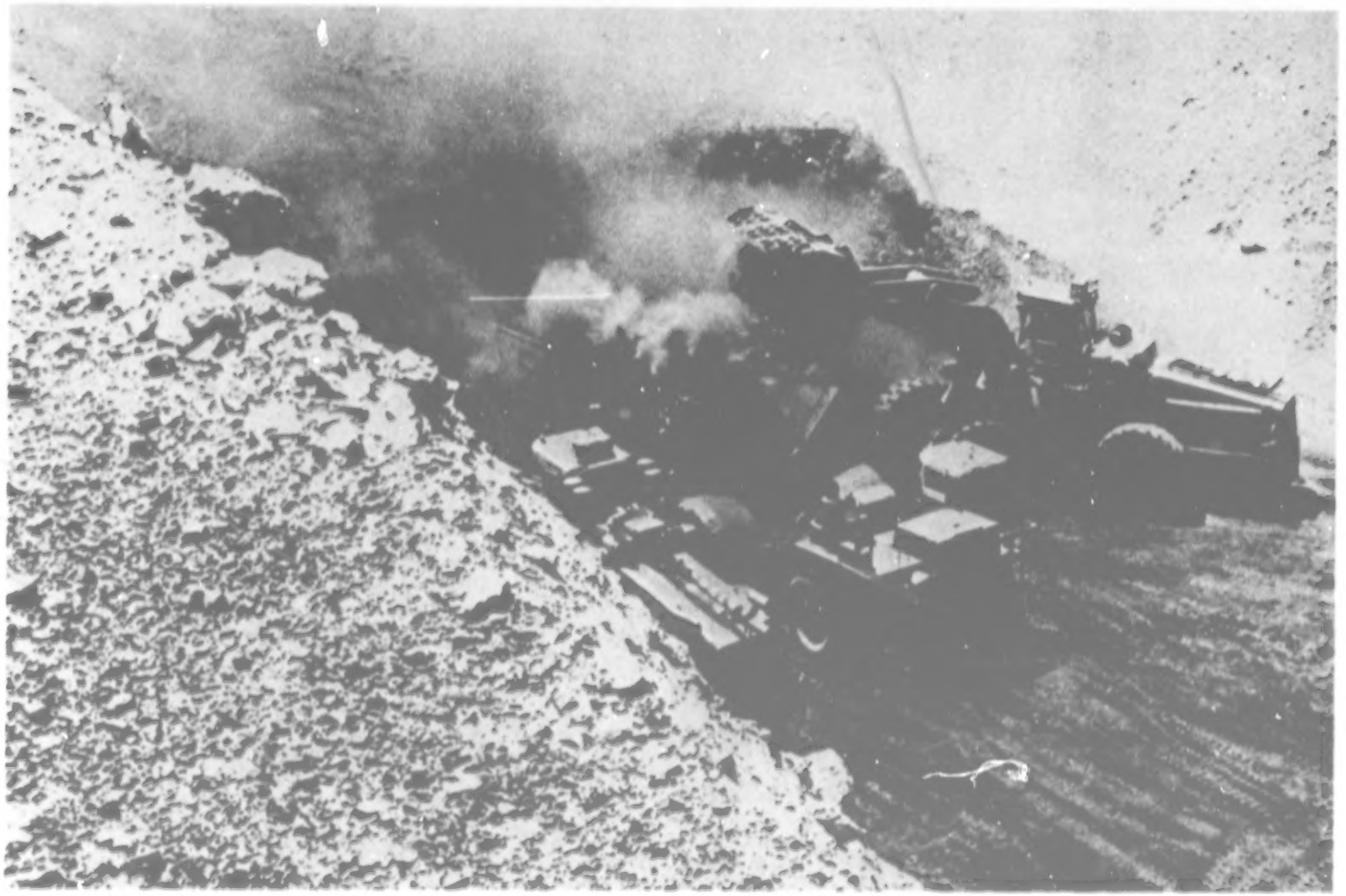
Navajo mine at the Four Corners Power Plant, Farmington, New Mexico.



Coal strip mining at Four Corners Power Plant.

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Equipment used at Navajo Agricultural Products Industry.

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Hay cutting time at Navajo Agricultural Products Industry.

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Alfalfa pellets produced by Navajo Agricultural Products Industry.

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Hay stored up for the production of alfalfa pellets. N.A.P.I.

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Four Corners Power Plant, Farmington, New Mexico.

Typical water well between Mexican Water and Rock Point.

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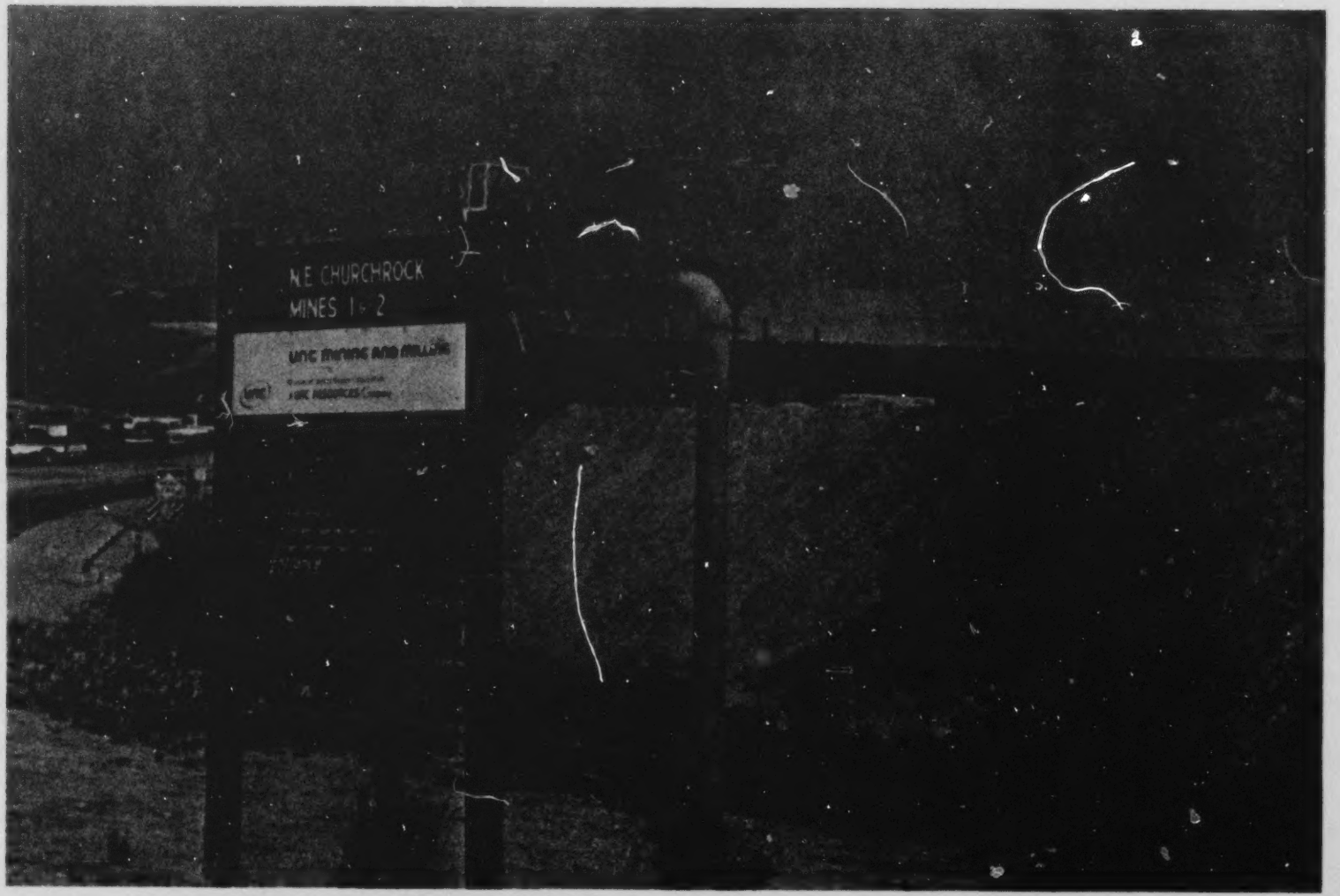
Uranium mine at Churchrock, New Mexico. 85% of the work force are Navajo, 20 of which are women miners; working 1500 feet underground.



United Nuclear Uranium Mine at Churchrock, New Mexico. This company was responsible for tailings spill. Operations were closed down due to radioactive water contamination.

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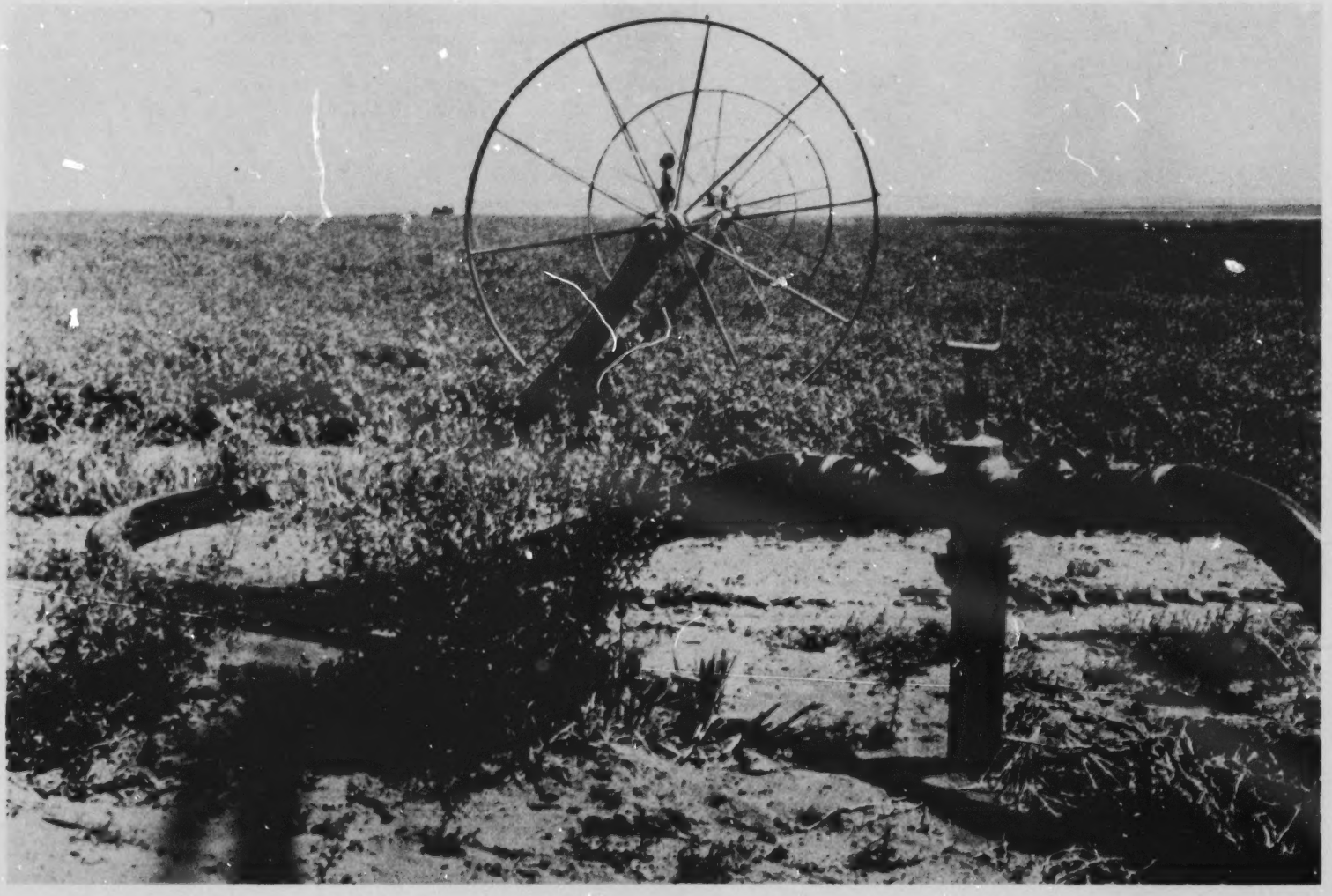
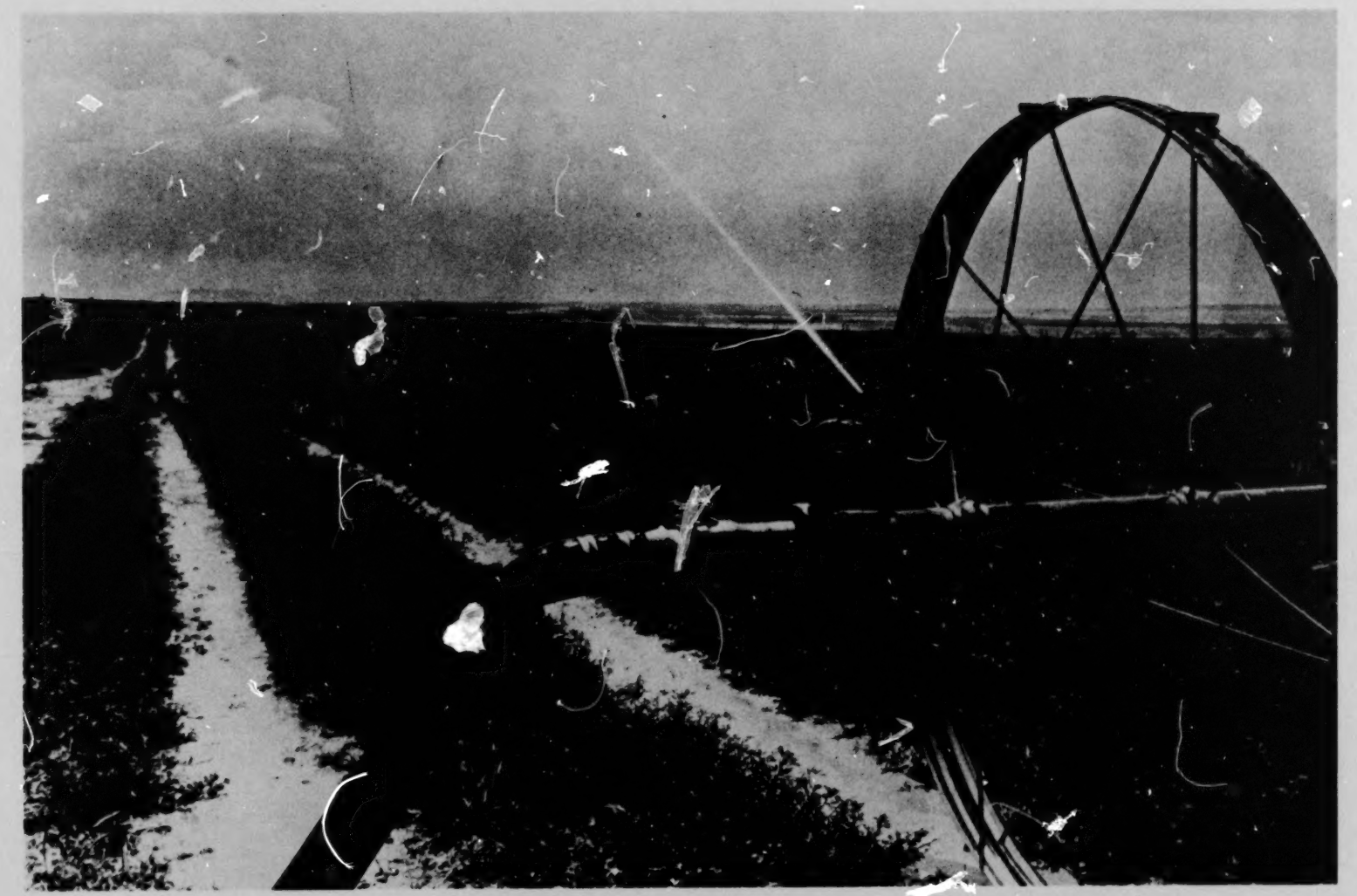


Irrigation sprinkler on Navajo Indian Irrigation Project Land.



Irrigation sprinkler on Navajo Indian Irrigation Project Land.

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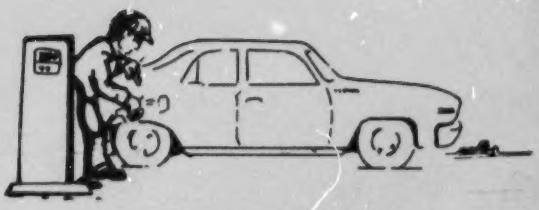
CHAPTER 9

Navajo Small Business



Importance of Private Sector — Navajo Small Business — Some Examples of Navajo Business — Navajo Westerners — Junior Achievement — Navajo Business Development Corporation — Navajo Businessmen's Association — Problems in Navajo Business

Importance of Private Sector

Surrounding the Navajo Reservation are the so-called border towns. In these small cities it is evident that business is going on daily. The stores, shops, supermarkets are all businesses. In the United States, small businesses actually employ the majority of American workers. In many countries around the world, people earn their livings in small businesses and the owners of small businesses profit from this ownership. This system of business is referred to as free enterprise and capitalism.

The issues surrounding Navajo small business, or business in general cannot be viewed as all good or all bad. It is certainly not feasible for everyone to be an owner of a small business. But it could be profitable for Navajos to be in business for themselves.

The Navajo economy consists of the money which is earned or brought to the reservation. This money comes from many sources including the Federal Government, the energy companies, the Navajo Tribe and school districts.

Each year, it is estimated that the Navajo Reservation and Navajo people earn or acquire about $508 million dollars. This comes from wages, social security, general assistance and welfare. About 45,000 Navajos are employed on or around the reservation.

Of this money, the $508 million dollars brought each year to the reservation, it is estimated that over sixty-seven percent of it is spent off the reservation. Twelve percent of it goes for taxes, three percent is allotted for savings, five percent is spent for miscellaneous expenses and only thirteen percent is spent on the Reservation.

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The problem, therefore, with the current Navajo economy is that eighty-seven percent of all the money which comes to the Reservation quickly leaves. Only about thirteen percent or $66 million dollars remains in circulation on the Reservation.

The advantage with developing Navajo businesses is that more money could be spent on the Reservation and more of the $508 million dollars would be left to directly benefit the Navajo Reservation through wages to workers in stores, profits to the owners of businesses and other monetary benefits through sales to suppliers on the Reservation.

One of the major thrusts of the Navajo Tribal Government under the administration of Chairman Peter MacDonald has been economic development. What this means is the development of ways and means to increase the amount of money coming onto the Reservation and to retain as much of that money for as long as possible for the increased benefit of the Navajo people.

The unemployment rate of the Navajo people is currently at thirty-nine percent. That means that of all potential 75,000 Navajo workers, thirty-nine percent of these are actively looking for work and are unable to find jobs. There are about 29,000 Navajos unemployed today.

The Tribe is currently working on a program of economic development which would encourage the establishment of Navajo small businesses. A small business is often classified as a business which does less than one-half million dollars in business per year or employs fewer than twenty-five people.

Another aspect of the Tribes' economic development program is to renegotiate as many of the existing mineral and oil leases as possible in order to give the Navajos a greater return on the resources which are taken out of Navajoland.

The development of area shopping centers is one way which the Tribe is helping to spawn Navajo businesses. To establish a business in a shopping center on the reservation is less difficult than obtaining a business site lease. Furthermore, it makes the borrowing of money easier in certain cases.

Navajo Small Business

Navajo Small Business is one aspect of economic development with a potential largely overlooked by economic planners and the Tribe itself. Critics of Navajo small businesses argue that the Navajo culture does not traditionally provide for the competitive spirit necessary to be successful in business. While it is true that different cultures do allow for different business concepts, it is inaccurate to assume that Navajos lack the drive necessary to be successful in business. This excuse is often used as another way of belittling the Navajos.

The past twenty years have shown that traditionally raised Navajos can be successful in business. There are several Navajo success stories which can serve as examples to the rest of Navajo society.

Some Examples of Navajo Business

In non-Navajo Anglo society, businessmen have been in families for generations. Within the last twenty years Navajo businessmen have appeared on the reservation. These Navajo businessmen are referred to as first-generation businessmen. In other words, this is the first generation in which Navajos have entered business on their own.

However, it is true that Navajos have been in business for themselves, earning their own living from the land, from livestock, sheep and farming since the beginning of the Navajo civilization.

Today, Navajos are owners of businesses involved in food service, office supplies and auto sales. They also own clothing stores, markets and gas stations.

Much time and work go into starting a business. There can be many benefits in owning a business, but there is risk as well. There are more Navajos who have lost money and their businesses than those who have been successful in business and are doing well at the present time. For example, in the United States as a whole, ninety percent of all new businesses fail within five years. Most of those ninety percent that fail, do so during the first two years. These statistics demonstrate the difficulty of being successful in business.

However, as mentioned previously, we do have Navajo success stories. There are those Navajos who have gone into business and are doing well today. These are pioneers in a different sense. They are the first generation Navajo businessmen. If their children go into a business, they will be second-generation businessmen, and so on down the line.

The Round Top Trading Post in Ganado is Navajo-owned and operated for the past five or six years. This trading post has been thoroughly modernized and is now a thriving business.

Davis Chevrolet in Tuba City started many years ago, not as an auto dealership but as a Navajo-owned auto repair service to the BIA. It began by greasing the BIA vehicles and changing their oil in the Tuba City area. This business grew until it became a full-service shop for automobile repairs. As a full-service auto repair shop, the business stocked auto parts for the needed repairs and began to sell those auto parts. The business then grew out of Tuba City and opened up the auto parts store in Chinle. Mr. Davis began to sell used cars in Tuba City in addition to the other aspect of his business. He has now expanded into a Chevrolet dealership. Recently, Mr. Davis was honored as the National Small Businessman of the Year.

Mr. Arviso owns Arviso's Market in Crownpoint. Mr. Arviso started his business by selling a few groceries, as well as gasoline, out of a small room. He worked seven days each week and fourteen hours each day, selling fresh mutton among other items. After years of work Mr. Arviso now has expanded his business into a large supermarket establishment.

Navajo Westerners

Navajo Westerners had its beginnings at Window Rock at the Fed Mart shopping center in November of 1971, and was started by Michael Nelson. Mr. Nelson told his story and the narrative was included in a filmstrip on Navajo business. His business is thriving and growing in Window Rock with two stores in the Fed Mart shopping center today and a combination grocery store, lumber and hardware store in Tuba City. This is his story:

> *The only way for Navajo self-sufficiency is through Navajo business. The federal funds are being cut back. Navajo business cannot only generate funds for the Navajo Tribe but jobs, too.*
>
> *I was born in the White Cone area. I then grew up in the BIA Boarding schools. After high school I went to Fort Lewis College and earned a Bachelor of Arts Degree in Business Administration. I always had a great interest in business.*
>
> *I saw a tremendous opportunity for anyone involved in business. I worked for the Small Business Administration in Phoenix helping other tribes in the Southwest in business development. I wanted to start a business on the Navajo Reservation but the land leases were so very hard to get that I felt I could not. The Small Business Administration wanted to promote Indian businesses but little was able to be done on*

the Navajo Reservation. I then came home and began to work for the Tribe as an economic development planner in an office handling leasing, planning, etc. By learning how these things worked on the Navajo Reservation it made it possible for me to put my package of plans and request for funding together and then I was able to get my loan to start in business.

Anyone can be anything they want. I was born in a hogan and raised sheep. That part of my life is still very much with me. All a person needs to be successful is ambition and to be willing to work hard. Today I act as a counselor to many people who wish to start their own businesses. Success is a word the white man uses. I don't feel I am a success. There are problems our business must face each month. Being in business means you must face these problems and surmount them.

There are three elements which someone must have in order to start a business on the Navajo Reservation. The first is the business site lease. The second is the necessary capital to start to begin to operate your business until sufficient earnings are achieved to pay for the business. The third item is you must be a person with some working knowledge of business and of your business in particular to be able to operate it profitably.

In being a business person you cannot allow yourself to have a bad day. You must like to meet the public. You cannot frown or have a negative or bad attitude. You must have a positive attitude every day, all day.

The Navajo Reservation is filled with opportunities for Navajos who want to go into business. There are opportunities in any field or business a person wants to go into. Instead of just talking about business it is important for Navajos to follow through. In order to pursue business one must devote a lot of extra time. Ambition and hard work is all-important. The time for Navajo business is now but you must be willing to sacrifice. I had a good paying job and gave it up. When I quit my income fell. But the gamble was worth it. I enjoy what I am doing now and would not take anything for it.

Junior Achievement

The Junior Achievement program is sponsored by the Office of Youth Affairs in Window Rock by the Navajo Tribe.

In an effort to increase Navajo business on the reservation, the Navajo Tribe has taken several steps to begin to support the development of business. One such step was the development of the Navajo Business Development Corporation. The other significant program is an education project operating at several high schools on the reservation called the Junior Achievement Program. Both of these projects serve as a good example and concrete help in planning for the actual development of a business.

The Junior Achievement Program is a branch of the National 4-H Program and operates nationwide. However, this is the first time it has been introduced on an Indian Reservation. Its manager is Henry Curly, who directs the project from the Office of Youth Affairs of the Navajo Tribe. Let us look at how the Junior Achievement project is working at Ganado High School.

The purpose of the program is to teach business principles to the students. Fourteen students are involved in the program. Each student registers for the Junior Achievement class which is held for two periods each day. At the beginning of the

year the class got together and decided what business they were going to pursue. They organized themselves as if they were in an actual business. They elected a president and other company officers and were assisted by the business skills teacher in the setting up of proper business and accounting records. At this time, they decided what were to be the main projects for the year, thus organizing themselves and making definite decisions regarding the business they would become involved in, and thereby accomplishing their goals.

The students chose several projects. Two such projects were to make bookcases and chairs. By the end of the first school year the class was to make twenty bookcases and sell them at the price of $14.99 each. They also were to make ten chairs at the price of $20.00 each. Student production teams were set up to produce these items. There was one student leader, a group of sanders, carpenters and stainers all contributing to the manufacture of these durable items. The students were involved in the selling of these items, the recording and accounting of the monies received, and the decision as to the disbursement of the final profits. Over $900 dollars of profits had been generated by the spring of 1981 in this project which was to be distributed among the students participating.

Materials for research and study and a course curriculum are provided by the Junior Achievement headquarters. These materials are excellent and teach all phases of the free-enterprise system and all the required basics involved in starting and operating a business.

It cannot be emphasized too strongly that a proper educational background is necessary to enter business. The accounting principles and other general business knowledge which must be employed in order to be successful can only come from understanding and being proficient in basic skills such as reading, writing, math, communication, etc.

Navajo Business Development Corporation

Another very important project is the Navajo Business Development Corporation. It was established in 1972 originally as part of ONEO and is funded by the U.S. Department of Commerce. The purpose of the Navajo Business Development Corporation is to further business development on and near the Navajo Reservation and to encourage and assist the growth of Indian-owned businesses. Mr. Joseph Hardy is the Executive Director of the corporation. This group counsels people who want to start businesses and assists them in the planning for businesses. They also help arrange for the financing of businesses when people need money to get their businesses started, as well.

Navajo Businessmen's Association

A Navajo Business Association has been established with the help of the Navajo Business Development Corporation to facilitate communication between businesses on and near the Reservation and to provide group help to work out common problems which face all Navajo businessmen.

In order to start a business one must have a business site lease, the money to operate the business (this is commonly called capitalization), and the knowledge to operate the chosen business successfully. Each of these above items must be held in proper balance with each other.

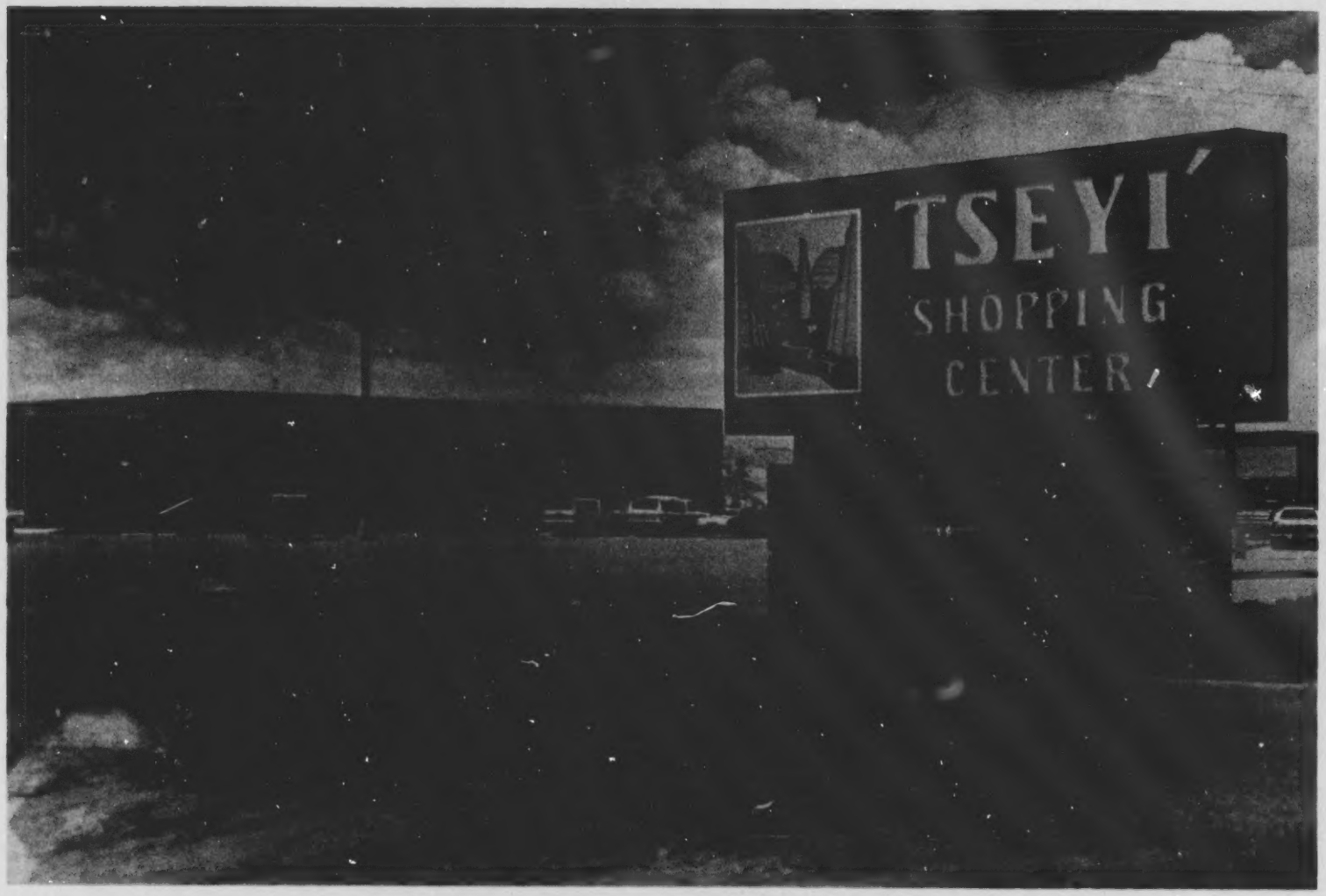
Problems in Navajo Business

There are many problems facing Navajos trying to start a business today. Before we take a brief look at these problems it is important to realize that these problems can be faced and overcome. Each time one of these problems is solved by one individual, that makes it that much easier for the next person to do the same. Also, do not forget about the many successful Navajo business people there are today. Two decades ago it was difficult to find successful Navajo business people. Now they exist in most communities on the reservation. There are too few. Who will be the business people of tomorrow but our students of today.

The following is a listing of the many and complex problems facing Navajo business development on the reservation.

1. Difficulty in obtaining land site leases. The complex way in which they are obtained and the length of time it takes to get them. The very nature of the land site leases makes it difficult to obtain the money needed to start a business.
2. Lack of ability to secure adequate capital, money for the development and successful operation of businesses on the reservation, due to the non-ownership of property and the actual business permit.
3. Difficulty in transferring business ownership through sale to other parties due, again, to the business lease.
4. Potential for failure in business keeps many people who could be very successful from even trying. Some fear that if they fail there would not be another chance ever given to them, and they might lose face in their community.
5. Inadequate business background on the part of most Navajos and inadequate knowledge of business principles to make a business successful.
6. Navajo laws must be changed and also legislated to provide protection on the reservation for businesses and consumers alike.
7. Low level of academic training and analysis ability of Navajo businessmen.
8. The Tribe and the Navajo businessmen do not have sufficient communication with each other to discuss problems and how they are to be faced.

This is a listing of only a few of the many problems which must be faced if the Navajo people are to build their own strong economy through Navajo business on the reservation. The opportunity is here; the need certainly is here; the problems need to be faced now because the solutions are available. To those interested in working in business and owning their own business, the potential for success is great. It is possible that many Navajos in the future will become Navajo businessmen.



Tseyí Shopping Center, A Navajo Nation "Growth Center" Project. Chinle, Arizona.

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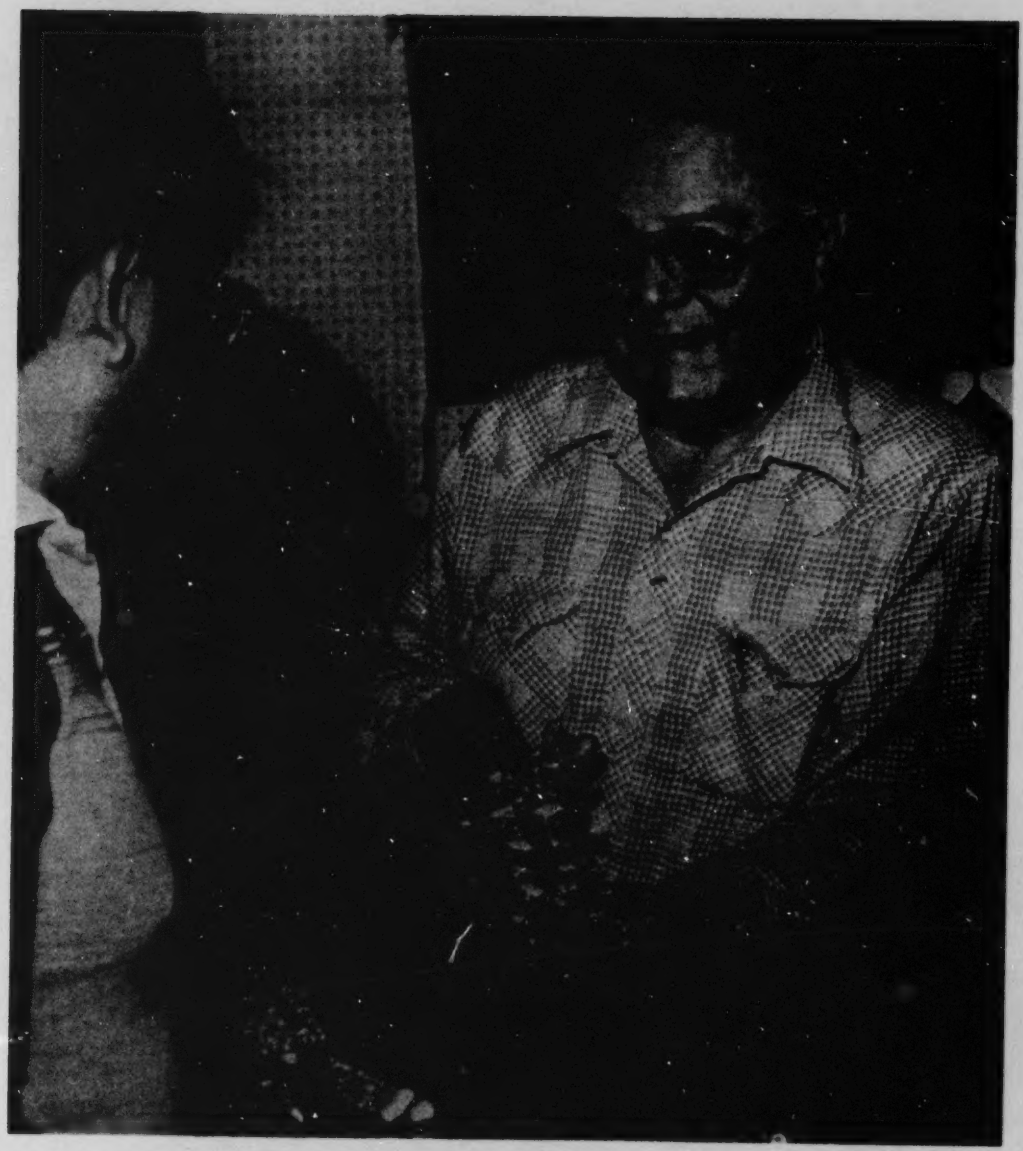

Navajo jeweler at Window Rock Tribal Fair.

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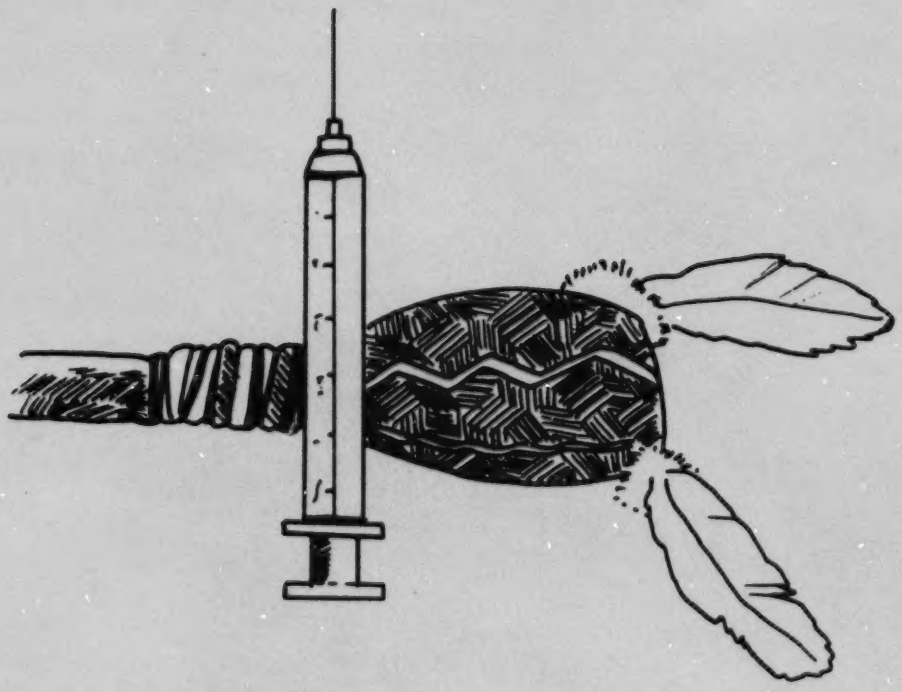
Unit 4

NAVAJO HEALTH



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CHAPTER 10

Navajo Health[1]

First Health Care on Reservation — Long Range Rehabilitation Act of 1950 — Leading Causes of Hospitalization — Chinle Hospital

First Health Care on Reservation

In the 1868 treaty between the Navajo Nation and the United States, there was no provision made regarding medical care whatsoever. During the 1880's a physician was assigned to Fort Defiance who was in charge of all of the medical problems that might arise.

The first hospital built on the Navajo Reservation was an Episcopal Mission Hospital constructed at Fort Defiance in 1897. This facility was a general medical and surgical facility until 1911 when the BIA Indian Hospital was completed at Fort Defiance. From 1911 until it closed in 1929, the Episcopal hospital served as an eye hospital, concerned primarily with treatment of trachoma.

The first Federal hospital for Navajos was constructed at Shiprock in 1908 and the second at Tuba City in 1910.

The following table shows the date for construction and replacement of each Federal hospital on the Reservation and the bed size.

LOCATION	DATES OF CONSTRUCTION OR REPLACEMENT	BED CAPACITY
Shiprock	constructed 1908	8
New Mexico	replacement 1915	41
	replacement 1960	75
	replacement 1978	210

1. Charts and content based on Navajo Area Status Report 1955-1977

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LOCATION	DATES OF CONSTRUCTION OR REPLACEMENT	BED CAPACITY
Tuba City Arizona	constructed 1911 used as quarters 1928 new facility 1928 replacement 1930 replacement 1954 replacement 1975	6 24 48 75 125
Fort Defiance Arizona	constructed 1912 new hospital 1928 converted to TB Sanitorium 1940 new facility 1940 enlarged outpatient	28 100 115
Crownpoint Arizona	constructed 1914 replacement 1939	32 56
Winslow	constructed 1936 converted from TB Sanitorium to hospital 1954 replacement 1978	56
Gallup	constructed 1961	200

Other hospitals were constructed on the Reservation specifically for the treatment of trachoma or tuberculosis. Because they were small (8 to 12 beds) and hard to staff, some were closed as larger facilities were constructed nearby. The following were converted to health centers or field clinics.

Fort Wingate New Mexico	constructed 1889 closed 1944 Gallup PHS Hospital provides clinic services at this location	35
Toadalena Arizona	constructed 1926 closed 1944 Shiprock PHS Hospital provides clinic services at this location	20
Tohatchi New Mexico	constructed 1927 converted to health center 1946 replacement health center 1958 enlargement 1975	12
Leupp Arizona	constructed 1929 closed 1943 Winslow PHS Hospital provides clinic services at the location	29

Kayenta Arizona	constructed 1929 converted to health center 1944 replacement to health center 1958	47
Chinle Arizona	constructed 1932 converted to health center 1950 replacement health center 1959	12

An Army Hospital was built in 1889 at Fort Wingate. Mission Societies then began providing Health Services in Fort Defiance and these Services also sprang up in various other locations in 1970.

The Kayenta and Toadalena Hospitals were, in essence, school buildings until they were converted into health facilities. These were inadequate as tuberculosis sanitoriums and could not be used as general medical and surgical facilities.

The larger hospitals before 1940 had well-equipped obstetrical departments isolated from the rest of the hospital. In the smaller hospitals the operating room was also used for deliveries.

In 1972, the Congress requested the United States Public Health Services to outline the health service.

A survey was conducted on the Navajo Reservation (Arizona and New Mexico) to find out if there were contagious and/or infectious diseases to be found. The result was that 30 percent of the Navajos had trachoma. Less disease was found on the Reservation compared to the schools and especially the boarding schools.

During World War I, nurses and doctors left the Reservation to sign up for the Armed Forces. By the end of the war two-thirds of these doctors had been lost.

The Bureau had difficulty filling these vacancies because of the following reasons:

low salaries
insufficient and inadequate housing
uncertain promotion possibilities
poor facilities
inadequate equipment
insufficient support personnel

In 1919, the flu epidemic swept the United States. The most virulent form of influenza hit the Southwest Indians. Because of this, Indian deaths tripled in Arizona and New Mexico in 1919 compared to 1918.

Typhus broke out in 1921. It was handled in the San Juan Agency in Shiprock. The Public Health Service limited the break-out to this one area. Twenty-one out of the fifty-two Indians who had the disease died.

In the 1920's, health surveys among the Indians were conducted. Tuberculosis was discovered. It was vital that certain improvements be made in this area.

Tuba City - enlarged hospital
Kayenta - Tuberculosis Sanitorium
Schools - 47 beds
Leupp, Toadalena and Tohatchi - 12 to 15 bed trachoma hospital
Ganado - January 1930 - 75 bed, Sage Memorial Mission Hospital
Chinle 1932 - small hospital
Winslow 1936 - 56 bed tuberculosis sanitorium - completed
Fort Defiance - 115 bed hospital and 8 bassinets. 1938 completed, 1940 opened.

Shortage of medical personnel aided the 1941 measles break-out. In 1942, active trachoma infection closed the hospital in Leupp and Toadlena. In 1947-1948 The American Medical Association surveyed the Navajo Reservation.

Long Range Rehabilitation Act of 1950

The Long-Range Rehabilitation Act of 1950 (Public Law No. 81-474) planned on attacking the health problems on four fronts:

1. To increase the number of hospital beds from 286 in general to 390; and from 150 in tuberculosis to 400.
2. To establish a system of field clinics located especially near the larger Reservation schools.
3. To develop mobile, medical and dental services.
4. To provide an adequate public health program.

After the Act of 1950 was in full effect, there was much progress made until 1960. Tuba City had an increase in the number of beds to 75; ten sanitoriums were established in Arizona, Colorado, California and New Mexico; a medical center was built in Fort Defiance, Arizona which held 200 beds. In 1958 the tuberculosis death rate dropped thirty percent. This isn't handled entirely, yet. The death rate of tuberculosis is still four times that of the nation as a whole. Also, from 1955-1979, the infant mortality rate dropped from 87.8 out of every 1,000 babies born, to only 31.4 which died in the 1970's.

From 1955-1970 PHS administered the following notable accomplishments:

1. Infant mortality was reduced from 87.8 deaths per 1,000 live births to 31.4.
2. Maternal mortality was reduced from 129.1 to 64.9 deaths per 1,000 population.
3. Tuberculosis mortality rates dropped from 52.5 to 15.6 deaths per 1,000 population.
4. The mortality rates from influenza and pneumonia declined from 103.7 to to 61.6 deaths per 100,000 population.
5. Mortality from diseases of early infancy fell from 77.2 to 41.4 deaths per 1,000 live births.
6. There was a marked decline in morbidity from tuberculosis and many of the infectious diseases, which was the result of specialized programs developed within the Navajo area.
7. The extent of hospital and outpatient services rendered to the Navajo people had increased dramatically. Hospital admissions had doubled out-patient visits had increased four-fold and dental services had tripled.

The Navajo Area Drug Information Center, based at the PHS Indian Medical Center at Gallup, began operation in 1972. This program, which used the Iowa Drug Literature Micro-film System, was the only formal, organized, area-wide drug information analysis service in the Indian Health Service.

When the Public Law No. 83-568 came into effect in 1955, responsibility was transferred. The Bureau of Indian Affairs in the Department of Interior no longer handled the Indian Health Program. Instead, the honors were given to the Public Health Service in the Department of Health, Education and Welfare.

A major breakthrough in improving the physical environment of the Navajo people was made possible when Congress passed Public Law No. 86-121 in 1959, the Indian Sanitation Facilities Act, enabling construction and maintenance of water supply and waste disposal for Navajo homes and communities. With approximately $550,000 from Public Law No. 86-121 and tribal funds, work was begun in 1961 in

seven communities on the first three thousand homes of the estimated thirteen thousand which needed to be served.

The Navajo Tribe — Ten Year Plan

In June of 1972, the Navajo Tribal Council and Administration issued a Ten-Year Plan. It expressed needs and goals for many aspects of Navajo life, work and government. In the area of health it stated that the ". . . health status of the Navajo is comparable to that of the general population of the United States 20 to 25 years ago."

Chart Comparing Navajo Nation and the United States

	NAVAJO	U.S.
Infant death rate, per 1,000 live births	42.3	20.7
Incidence of certain infectious diseases per 100,000 population		
tuberculosis	270	19
rheumatic fever	90	1.6
hepatitis	1,120	223
Life expectancy at birth (years)	63.2	70.8
Hospital beds per 1,000 population	4.4	7.8
Physicians per 100,000 population	92	163

Leading Causes of Hospitalization

The reasons for the worsening status of Navajos in the above chart is due to the lack of preventative medicine, lack of both inpatient and outpatient services and the lack of water and sewer waste disposal across the Reservation. About 80 percent of Navajo homes are without water and sewer service.

Statistics show that over the past 20 years, increasing amounts of money spent for medical care have directly improved the rate of infant survival.

In 1972, and at the cost of materials and services of that year, it was estimated that over $163 million was required to provide adequate water and sewer services to Navajo homes. In order to provide adequate medical care programs, it was estimated that $421 million was needed to facilitate these programs.

It was stated in the report that the ". . . lack of safe water supplies and waste disposal facilities were, in large measure, responsible for the high incidence of such preventable diseases as gastroenteritis and amoebic and bacillary dysentery (more than 27 times higher than the rate in the general population). For Navajo infants who return to their home environment after hospital birth and particularly for infants one month through eleven months of age, the death rate is about three times that of comparable age groups in the general population."

Chinle Hospital

At this time, the Federal Government has appropriated over $14 million dollars for building a hospital in Chinle, Arizona. The hospital will accommodate sixty persons. The completion date is scheduled to be sometime in 1982.

TABLE 21

TEN LEADING CAUSES OF HOSPITALIZATION IN NAVAJO PHS BY RANK:
1965, 1972, and 1973

ADMISSION DIAGNOSIS	1965 Number	Percent of Total
Total Diagnosis	15,403	100.0
1. Delivery without complications	2,590	16.8
2. Pneumonia & Influenza	1,382	9.0
3. Gastro-enteritis, colitis	752	4.9
4. Fractures	713	4.6
5. Special exam, follow-ups	561	3.6
6. Deliveries w/complications	482	3.1
7. Symptoms & ill defined condit.	378	2.5
8. Lacerations	342	2.2
9. Cholelithiasis, cholecystitis	334	2.2
10. Tonsillitis	294	1.9

ADMISSION DIAGNOSIS	1972 Number	Percent of Total
Total Diagnoses	17,616	100.0
1. Delivery without complications	1,947	11.1
2. Pneumonia & Influenza	1,296	7.4
3. Symptoms (defined)	622	3.5
4. Diarrheal diseases	502	2.8
5. Delivery w/locerat. Perineum	458	2.6
6. Deliv. w/complications	407	2.3
7. Other dis. GI Tract, Peritoneum	369	2.1
8. Lacerat., open wounds	361	2.0
Disease GB, Bile Ducts	357	2.0
10. Fracture, lower extrem.	334	1.9

ADMISSION DIAGNOSIS	1973 Number	Percent of Total
Total Diagnosis	18,317	100.0
1. Delivery w/o Complications	1,637	8.9
2. Pneumonia & Influenza	1,236	6.8
3. Deliversy w/lacerat. Perineum	696	3.8
4. Diarrheal diseases	687	3.8
5. Symptoms (defined)	604	3.3
6. Deliv. w/complications	501	2.7
7. Other dis. GI Tract, Peritoneum	388	2.1
8. Lacerations, open wounds	365	2.0
9. Disease, GB, Bile Ducts	347	1.9
10. Fracture, lower extremities	339	1.9

These tabulations of hospital admissions exclude births, which as indicated, in Table 21 is the leading condition for which hospital treatment is rendered. There is a high correlation in the rankings over the past two years, and the general increase in hospital admissions continued. Among the problems which show a decline are the prevalent infectious diseases such as Pneumonia-Influenza, Cholelithiasis-cholecystitis and tonsillitis. Another condition which has been reduced is hospitalization for fractures which has dropped to under half the percent it was in 1965.

Table 21 reflects a view of the diversity and scope of diagnostic conditions for which hospital services are provided.

TABLE 22

NAVAJO AREA MORTALITY (Deaths per 100,000) BY SPECIFIED CAUSES 1955-1971

Cause of Deaths	1955 (3 yr. average) 1954-1956	1960 (3 yr. average) 1959-1961	1965 (3 yr. average) 1964-1966	1970 (3 yr. average) 1969-1971
Accidents	129.7	125.3	184.3	219.9
Heart Disease	33.6	38.5	50.2	68.1
Influenza-Pneumonia	103.7	90.1	64.2	61.6
Malignant Neoplasms	27.3	36.0	56.6	41.4
Certain causes mortality of early infancy	77.2	69.7	61.2	41.4
Cerebrovascular Disease	15.9	21.8	23.6	26.7
Cirrhosis of liver	3.7	6.5	11.6	24.4
Congenital Anomalies	13.4	25.8	21.0	22.1
Tuberculosis	52.5	29.0	26.6	15.6
Suicide	7.4	14.9	7.3	20.7
Homicide	7.4	6.2	11.6	13.3

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Accidents, poisoning and violence have been the leading causes of death during the past two decades, increasing to the point where it now accounts for over 25 percent of all deaths exceeding the total of the next four leading causes. With increased longevity of the Navajo population, Heart Diseases which was fifth ranking in 1955 has doubled and is now second, while conversely, Influenza-Pneumonia has dropped markedly during the same period, as has certain causes of mortality of early infancy.

There has been a notable decline in Tuberculosis, which is less than one-third of the rate in 1955. It is disturbing to observe the consistent rise in the death rate for Cirrhosis of Liver, which is attributable in part to an increase in the magnitude of alcohol consumption.

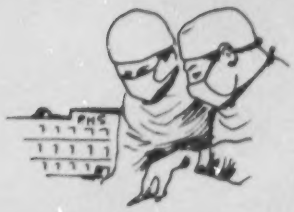
Source: National Office of Vital Statistics

TABLE 23

LIFE EXPECTANCY AT BIRTH FOR THE NAVAJO
AND THE GENERAL U.S. POPULATION: 1973 BY SEX AND RACE

Category	Life Expectancy at Birth
FEMALES	
U.S. White	76.6
U.S. non-White	71.2
Navajo	71.8
MALES	
U.S. White	68.9
U.S. non-White	62.9
Navajo	58.8

Source: Navajo Health Authority



CHAPTER 11

Navajo Area Indian Health Service[1]

Introduction — Comprehensive Programs — Hospital Health Services — Health Center Services — Community Health Services — Dental Services Branch — Public Health Nursing Services — Health Education Branch — Community Medical Services — Mental Health Services — Health Records — Physical Therapy Program — Nutrition Program — Ear Program

Introduction

No other group of citizens stand in precisely the same relationship to the Federal Government as do American Indians. The unique nature of this relationship is rooted in the treaties and laws which gave the Federal Government responsibility for the protection of Indians and their resources. The many Federal services extended to Indians today, including health, had their origin in this early Indian-Federal relationship and have developed to present day programs. The first organized Federal medical care program was established in 1909 in conjunction with the first Indian schools and services were gradually broadened to include a full range of hospital and health services.

Four public laws have been passed which specifically concern Public Health Service responsibility for the health needs of Indians: Public Law 83-568, effective in 1955, "to transfer the maintenance and operation of hospital and health facilities for Indians to the Public Health Service, and for other purposes;" Public Law 85-151, passed in 1957 "to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians;" Public Law 86-121, passed in 1959, which authorized the Surgeon General to provide and maintain essential sanitation facilities for Indian homes, communities and lands; Public Law 89-70[illegible]assed in 1966, which authorized transfer of responsibility for he[illegible] services for inhabitants of the Pribilof Islands from the Bureau of [illegible]mercial Fisheries (Interior) to the Indian Health Service.

1. The material in this section was supplied by the Indian Health Service.

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It is the endeavor of the Public Health Service to carry out these responsibilities in a way which will most efficiently and quickly help the Indians achieve the highest possible level of health.

The Indian Health Service is divided administratively into ten (10) Indian Health Areas, with each Area responsible for operating the Health Program for Indians in its respective states.

To have ideal operation of the Health Program, Indian Health Areas are divided into Service Units. The Navajo Area, which covers an area of 25,000 square miles in three states and has a service population of approximately 150,000 Navajo Indians, is divided into eight (8) Service Units.

Comprehensive Programs

Responsibility for the health care of the Navajo Indians was transferred to the Albuquerque Area from the Bureau of Indian Affairs in 1955 through enactment of Public Law 568 by the 83rd Congress. In 1969, the Navajo Area was established and responsibility was transferred from the Albuquerque Area.

The goal of the Indian Health Service is to raise the health of the American Indian and Alaskan Native to the highest possible level. Three objectives toward reaching this goal must be met. These are:

1. *To help Indians develop the capability to staff and manage their own health programs and assume administrative authority.*
2. *To act as the Indian's advocate in the health field, generating other interests and resources which can be applied to Indian needs.*
3. *To provide Indians with the best possible health program, including hospital and outpatient care, preventive and rehabilitative services and environmental improvements.*

The basic health organization in the Indian Health program is the Service Unit. In the Navajo Area Indian Health Service program, each Service Unit has a hospital or a health center and a number of smaller and more remote health stations and clinics where health services are provided.

The Navajo Area Indian Health Service is responsible for a comprehensive health service for the Indian people of the Area. Medical care and other health services are provided through six hospitals having a total of 675 beds, and ten health centers where physicians and other health staff are on call twenty-four hours a day. Health services are also provided at thirty-four other Indian Health Service facilities, eleven of which are adjacent to schools and open for nursing services daily. The remaining twenty-three are located in rural communities, and services are provided at weekly or bi-weekly intervals by health personnel. In addition, the Indian Health Service maintains full-time nursing staff at BIA boarding schools, providing school health services daily. At other locations, the Indian Health Service provides intermittent health services including nursing conferences, dental services, physician services, optometric services, etc.

The Navajo Area Indian Health Service provides the Indian people with a full range of curative, preventive and rehabilitative health services.

The hospital staff includes all the categories of health personnel needed to provide comprehensive hospital health services to the Indian

people: physicians, nurses, dentists, dietitians, technicians, etc. There are additional staff trained in preventive and public health work, including public health nurses, school nurses, maternal and child health services, dental services, psychiatric care, environmental health services, health education, nutritional services, social work, mental health services, optometric services, etc.

In addition, the Indian Health Service has contract arrangements with other hospitals and health specialists so that Indian patients needing special care will be able to receive it.

As of February, 1976, the Navajo Area Indian Health Service had on duty a total of 1,659 permanent staff (649 of whom are Navajo or 39.2%); 177 (10.6%) are other Indian employees — making a total of 826 (49.7%) Indian employees. The remainder are non-Indian.

Hospital Health Services

The location of the six Navajo Area Indian Health Service hospitals and the number of beds in each are:

NAME	LOCATION	NO. OF BEDS
Gallup Indian Medical Center	Gallup, New Mexico	181
Fort Defiance Indian Hospital	Fort Defiance, Arizona	76
Shiprock Indian Hospital	Shiprock, New Mexico	75
Tuba City Indian Hospital	Tuba City, Arizona	125
Crownpoint Indian Hospital	Crownpoint, New Mexico	56
Winslow Indian Hospital	Winslow, Arizona	40

General medical, surgical, pediatric, obstetrical and gynecological inpatient and out patient care is provided in all six Navajo Area Hospitals. In the four larger hospitals, specialists are available to provide services for the patients with more complicated illnesses. Those patients requiring care beyond the ability of the Indian Health Service staff are provided needed care through contractual arrangements with non-government hospitals and physicians.

Over the past six years, admissions to Navajo Area Indian Health Service hospitals increased 15.3 percent and outpatient visits increased 86.4 percent.

In view of past experience, and with the continuing increase in the Navajo population and the continuing increased acceptance of the health program, there is every reason to predict that more and more people will seek health services, and workloads in hospitals, health centers, health stations and clinics will continue to increase.

Health Center Services

There are ten Health Centers in the Navajo Area Indian Health Service, located as follows:

Chinle Indian Health Center	Chinle, Arizona
Kayenta Indian Health Center	Kayenta, Arizona
Fort Wingate Indian Health Center	Fort Wingate, New Mexico
Tohatchi Indian Health Center	Tohatchi, New Mexico
Greasewood Indian Health Center	Lower Greasewood, Arizona
Many Farms Indian Health Center	Many Farms, Arizona
Toyei Indian Health Center	Toyei, Arizona

Shonto Indian Health Center	*Shonto, Arizona*
Teec Nos Pos Indian Health Center	*Teec Nos Pos, Arizona*
Dilkon Indian Health Center	*Dilkon, Arizona*

General medical, minor surgical, pediatric, obstetrical and gynecological outpatient care is provided in all Health Centers. Those patients with more complicated conditions are referred to the Navajo Area Hospitals or to contract hospitals, as indicated.

Community Health Services

One of the most important components of the Service Units' total health program is Community Health Services. The Community Health Director is responsible for all field health activities, including home visits and specialty clinics for control of high-incidence diseases, communicable disease control activities, immunizations, tuberculosis, and venereal disease control, school health programs, health education and environmental health services.

All members of the health team work closely in the field health program to insure coordination of the many efforts needed to improve the health of the Indian people.

Community Health Services are divided into the following programs:

A. Office of Environmental Health

The Office of Environmental Health has the charge of protecting and improving the environment, thereby providing a healthful atmosphere in which to live. Public Law 86-121 (Sanitation Facilities Construction Act) allows the Public Health Service to do more than just provide technical assistance, guidance and training in environmental matters, but actually provides funds for the construction of sanitary facilities.

The Office of Environmental Health has three branches, staffed by Sanitarians, Sanitary Engineers, Sanitarian Technicians and other personnel. There are Environmental Health staffs at all Service Units, and it is recommended that local environmental problems be brought to the attention of Service Unit staff.

1. Environmental Health Services Branch

This branch plans, develops, implements and appraises a comprehensive environmental health program which includes the following activities among many others.

a) Emergency conditions--floods, fires, water outages and other disasters.

b) Emergent conditions--surveillance of food handling, water supply, waste disposal, accident hazards at major Indian celebrations.

c) Epidemiological Activities--investigations of disease outbreaks.

d) Public Law 86-121 Activities--assists families in the training and education for continual operation and maintenance of sanitation facilities.

e) Commercial establishments--review plans and inspect on six-month schedule all commercial establishments licensed by the Navajo Tribe.

f) *Institutional Sanitation--conduct comprehensive sanitary surveys of Navajo Tribal, BIA, and PHS institutions, such as Tribal jails, Headstart schools, BIA schools, PHS health facilities. Provide food handling training to staff at these institutions.*

2. *Sanitation Facilities Construction Branch*

In cooperation with the Navajo Tribe and other agencies, this Branch plans, develops and constructs sanitary facilities for Indian homes and communities. In previous years, Public Law 86-121 allowed for the construction of water supply and for assisting the family in obtaining a bathroom for their existing home. There is an emphasis on new housing programs with substantial construction funding being earmarked to provide sanitary facilities for housing projects. This decision was not made by Indian Health Service but by the Bureau of the Budget, and Congress may change if housing programs do not come up to expectation.

Sanitary Engineers are engineering advisors to other Service Unit personnel, other agencies and the Navajo Tribe.

3. *Occupational Health and Injury Control Branch*

a) *IHS Safety Management*

The Branch monitors and promotes the occupational safety and health regulations on the Navajo Area. The methodology used to adhere to the regulations are, among others:

(1) *Define resources required.*
(2) *Define status of Navajo Area safety management program.*
(3) *Initiate and establish Area safety training program.*

b) *Navajo Nation Occupational Health/Environmental Affairs*

This Branch is concerned with the economic development activity of the Navajo Tribe, including ongoing and planned activities on or in the vicinity of the Navajo Reservation.

OHICB provides consultation on proposals and activities regarding mineral development and industrialization such as Wesco Coal Gasification, El Paso Coal Gasification Project and Cholla Project.

This Branch will continue to work with the Navajo Tribe as consultant on matters relating to occupational health and safety.

c) *Community Safety*

The Program responsibility is to increase education in safety on the Navajo Reservation. The primary goal being to reach people and prevent accidents. Some of the activities directed toward improving community awareness of and preparation for responding to accidental injury and disasters in a community setting are:

(1) *Home safety course for students, families and Tribal leaders, in addition to Chapter House presentations.*
(2) *Studies of potential hazards associated with swimming pools, storage and sale of pesticides in trading posts.*
(3) *Assisting in development of a fire prevention program for the various health agencies on the reservation.*

4. *Training Center*

This program involves training Navajo people in the operation and maintenance of community water and waste water facilities. The training is given to people who are potential employees in this field and employees of water and waste water service agencies of the Navajo Nation.

Dental Services Branch

Even a quick review of the Dental Services program will show that our staff of some forty-one full-time dentists and the few available contract practitioners cannot possibly meet all of the dental needs of the 83,100 or more Navajo people.

To insure that a long-range improvement in the dental health of the Navajo actually will occur, a system of age and service priorities is followed. In the age of priority system, school children receive primary attention followed by a decreasing emphasis as age increases.

Within the service priorities, emergency care for all patients regardless of age takes highest priority, while the following services are given on a priority basis: preventive care, corrective care and rehabilitative care.

Emphasis is placed on providing the most essential dental care for the age groups with highest priority. These services are concentrated on the young because the major oral diseases can best be prevented or arrested at an early age. Large numbers of children are treated so that a new generation is now growing up without the severe chronic dental disability and loss of teeth which is common among the adult population.

As resources are increased, they intend to provide more comprehensive care for people of all ages. More of this type of care is being provided at a slow rate. However, it is expected that a more wide-spread beginning can actually be made toward providing more care to adults within a few years.

Dental Services are available throughout the Area.

Public Health Nursing Services

The nurses working in Field Health Services of IHS are involved in practically all the programs aimed at improving the major health and welfare problems of the Indian people. Among these programs are environmental health, mental health, health services for the handicapped and the aged, maternal and child health, chronic and communicable disease control, health teaching, and supervision and follow-up of referrals.

The public health nurses carry on a comprehensive and diversified program which includes: home visiting, hospital liaison, field clinics and conferences, school nursing, and some classroom teaching. The individual nurse must be free to exercise a high degree of judgment in applying priorities in the management of case loads. Because the Public Health Nurse is sensitive to the individual needs of the people served, these nurses are in a position to determine which people require intensive care, regular service, or limited periodic service.

The school population continues to increase each year and as a result, coordination among the Navajo Tribe, BIA, and PHS personnel associated with school health programs is realized. General priorities for health programs will relate to the functions and accepted responsibilities of the Service Unit, the outstanding health needs in the community and the availability of other resources. Priorities within each service category pinpoint the types of cases and kinds of individual and family situations that can be expected to benefit most from public health nursing care and supervision.

As previously stated, Public Health Nursing contributes directly or indirectly to all public health programs, with more active participation and responsibility in some areas of the total program than in others.

One of the public health nurse's greatest contributions toward improving the health level of the community is teaching efficient health practices to Indian families in their own homes.

Health Education Branch

The Health Education Branch of the Indian Health Service has been developed to provide organized, intensive and comprehensive activities designed to support, strengthen and extend educational work carried on by other health workers in both the community and hospital setting. The health education staff members provide direct contact with the Indian people, bringing to them health knowledge for the improvement of individual, family and community health. They provide information on available health services and resources, and communicate the needs and problems of the people to the Indian Health Service staff.

The Health Educators and Health Education Aides assigned to the Service Units make direct contact with the people, traveling extensively over the Reservation. They meet with chapter officers, attend chapter meetings to bring programs of information on health services and health problems. They work to develop active participation of the people in health committees and other community development activities. They assist individuals and families and chapter groups to be better informed on health and health-related resources and services.

Health Educators and aides work in cooperation with the local people and workers from other agencies, including BIA, and public schools, ONEO programs, CHR programs and other local Navajo Tribal, State and Federal agencies to develop and coordinate efforts for community action to promote the health and welfare of the people.

The health education services outlined above can be obtained by contacting the Service Unit Director or the Community Health Educator stationed at each service unit.

Community Medical Services

The Community Medical Services program is the medical arm of the Community Health program. It is through the Community Medical Services program that the health team develops close working relationships with the Indian people in their homes and communities. Leading health problems are: high infant and maternal mortality rates; high incidence of communicable diseases; increasing prevalence of chronic conditions; crippling conditions in children; accident; mental health problems including alcoholism; nutritional deficiencies.

The isolation of the areas in which Navajos live, and the attendant transportation difficulties make it necessary for services to be made available within their communities.

An effective range of health services is provided at Health Centers and Health Stations. In addition, specialty clinics are held both at these facilities and in schools and communities for immunizations, tuberculosis, and venereal disease case-finding, control of trachoma, diabetes, otitis media, and other diseases, health education, environ-

mental health, and mental health services. Family planning consultation and services are provided under this program. Visits are made to homes and schools to provide preventive and curative medical services, and education in good health principles and practices. Community Health Representatives extend and increase the effectiveness of professional health services in their capacity of on-the-scene assistance to the health team, and at the same time serve as a communication bridge between the Indian people and the health staff. Demands for services have continued to increase as a result of better acceptance of care by the Indian people.

Mental Health Services

The Mental Health team works in a variety of ways. The most traditional techniques are outpatient and inpatient psychotherapy, usually rather brief. This approach has been useful in helping individuals directly and is also of benefit to their families and communities. It has proven feasible to treat non-English speaking patients through the use of skilled interpreters (and clinicians skilled in cooperation with an interpreter), and through the use of therapists who speak the patient's language.

The members of the Mental Health program also spend a good part of their time as consultants. They have been working with the other members of the Indian Health Service in order to help them understand the psychological needs of patients and in order to prepare them to treat emotional as well as physical illness. Previously many Indian psychiatric patients were sent to off-reservation hospitals which were strange and confusing to them, where no one spoke their language, and the staff, no matter how well-qualified, were frustrated in their efforts to help because of their inability to speak with the patient, and the unavailability of the patient's family. Most patients, in areas where there are Mental Health teams, can now be treated in our own facilities; often they can be discharged in a much shorter time, thus saving a costly and long hospitalization. A psychiatric inpatient service of twelve beds is in operation at the Gallup Indian Medical Center, which provides care to severely disturbed people from the entire reservation.

Consultation is also provided to a wide variety of organizations outside the Public Health Service. Mental Health teams are working with Tribal governments, welfare organizations, police departments, church groups, legal service groups, and, most importantly, with schools.

The boarding schools, now attended by more than 25,000 Navajo children, are of particular concern. The Mental Health team is working with the BIA in operating a model dormitory program where much greater numbers of staff are available to care for the children, and where more training for child care workers is available, in an attempt to demonstrate what can be done to improve boarding school conditions.

Health Records

The Health Record Department has as its chief functions:

1. *Admitting patients*
2. *Maintaining health records*
3. *Assisting the medical staff and administration in research.*

Normally the first contact of the person seeking medical care is with the Health Records Department. A comprehensive health record is maintained for every patient seen at a health station, health center, school health center or hospital. These records are confidential and the contents may be revealed only on the written request of the patient or his designate.

For better continuity of care, patients are urged to use the same health facility unless, of course, the doctor refers them elsewhere for further diagnostic work-up or treatment. Patients presenting themselves for care also are asked to bring with them their unit number and social security number. This information facilitates correct identification of the patient and thus shortens the time the patient must wait to be seen.

Birth certificates are filed for all infants born in PHS Indian Hospitals, as are applications for social security number when the infant is named. Assistance is given to persons seeking delayed birth certificates. Death certificates are filed for patients who die in PHS Indian Hospitals.

The health record is the basic document from which all statistics are derived. A report is made of each outpatient visit and each hospital discharge.

Correspondence relative to a patient's ability to return to work, insurance claims, social security claims, or medical treatment elsewhere, is handled by the Health Records Department.

Physical Therapy Program

Phsycial Therapy is directed toward the health problem of physical disability or handicaps resulting from various disease processes. It seeks to eliminate or reduce the effects of disease through the use of physical modalities, i.e., heat, electricity, water, air and exercise.

Physical therapy services are available under written referral by an IHS physician or dentist on a regular basis. The Gallup Indian Medical Center maintains a fully equipped section staffed by a registered Physical Therapist and trained Physical Therapy Aide. Consultants from this unit are available for service to other facilities.

Quarterly rehabilitation clinics are coordinated by the Gallup Indian Medical Center Physical Therapy Department.

Monthly prosthetic and brace clinics are held at the Gallup Indian Medical Center Physical Therapy Department. The clinic staff provides prescription and fitting, repairs for braces and artificial arms and legs, and training for their use.

Nutrition Program

A majority of all patients receiving IHS hospital and ambulatory care must follow medically prescribed diets. Skilled, often prolonged patient counseling and guidance requiring familiarity with individual and Tribal resources and customs are needed to accomplish this. Subject to resources and customs, all patients should receive careful counseling and guidance in normal diet as a preventive and maintenance health measure. This is particularly needed for the child-bearing years, infancy, and childhood, on a family-centered basis.

Ear Program

Acute and chronic ear infections are one of the leading health problems of Navajo infants and children. Special programs are in operation to prevent this disease, treat those children with ear infections promptly and provide services to correct the damage of the ear structures that result from infections.

Infants under the age of one year show a high incidence of ear infections, as do Navajo Children 1-5 years of age. Studies show that a significant percentage of school age children (6-18 years), have chronic ear infections with damage to the ear drum. The surgical program over the past several years has corrected the ear problems of many children.

A substantial part of the rehabilitation of these children is the provision of hearing aids, instruction in care and use, as well as maintenance and repair of hearing aids.

A Navajo audiologist has been hired to examine Navajo children for ear disease and hearing defects. The audiologist performs examinations and trains Indian Health staff in the technique of audiological screening.

All of the above gives some indication of the variety of medical services now available to the Navajo people. In addition to these, there are others such as: Maternal and Child Health, Tuberculosis Control, Medical Social Services, Student Eye Glass Program, Laboratory Services, Alcoholism Control Program and Training Programs.

CHAPTER 12

Navajo Health Authority

Programs — American Indian School of Medicine — Statement of Goals and Philosophy — Statement of Goals and Functions

Programs

The Navajo Health Authority administratively is organized around a Window Rock and a Shiprock office, with the Executive Offices located at Window Rock. The 1977 Annual Report provides the following listing of the NHA programs.

Window Rock Programs

1. Student Affairs — identify, recruit, place and provide assistance to potential health career students.
2. Native Healing Sciences — was established to foster, promote and preserve the native healing sciences of the Navajo people. Organized the Medicine Men Association and promotes cultural awareness symposiums.
3. Nursing Education —
4. Health Education —
5. Health Statistics and Research — Projects include the Federal Physician Survey, Comprehensive Health Services Evaluation Project, Navajo Nation Health Manpower Survey, Navajo Nation Nursing Survey, Mortality Registry Notebook, Morbidity Registry; Area Health Education Center Evaluation.
6. Allied Health Training
7. Emergency Medical Services

Shiprock Programs

1. Preventive Medicine
2. Navajo Ethno-Medical Encyclopedia
3. Media Center
4. Family and Community Medicine
5. Comprehensive Family and Community Services

AMERICAN INDIAN SCHOOL OF MEDICINE

Even before the formation of the Navajo Health Authority in 1972, the Navajo Tribal Council, by resolution, created the American Indian Medical School. This was accomplished on June 2, 1971. The resolution stated:

> *The American Indian, through the Navajo Tribal Council respectfully requests the Honorable Elliot L. Richardson (then Secretary of the Department of Health, Education and Welfare) to conduct immediately a planning study, and to submit to the council a preliminary report within ninety days regarding the establishment of a medical school and related facilities within the Navajo Reservation and to proceed to obtain the necessary funding for the planning, design, construction and operation of said medical school and its necessary related facilities....the present need for these facilities with which to train Indian medical personnel, within an Indian reservation, and for the benefit of all American Indians, is essential if the self-determination pronouncements of the Indian assuming the direction of his own destiny are to be meaningful. These facilities will compliment and expedite all other existing medical training programs, and will assure Indian and Alaskan natives the chance to develop their talents, abilities and interests to their highest potential.*

In March 1972, the Tribal Council accepted the Richardson Report and authorized a plan development for the medical school. In 1975 Northern Arizona University was approved as the institution to provide an academic base for the developing of the American Indian School of Medicine (AISOM). Taylor McKenzie, M.D., a Navajo, was selected to be President of the AISOM.

Statement of Goals, Functions and Philosophy

WHEREAS:

The principal purpose for which the Navajo Health Authority (NHA) was created by the Navajo Tribal Council is to guide and assist the Navajo people to improve their health and well-being.

The goals and functions described herein are designed to meet this stated purpose. Thus when we speak of health care systems, we speak of the Navajo Nation; when we speak of the medical school and health education, we speak of the American Indian Medical School and the American Indian Community.

NOW THEREFORE BE IT RESOLVED THAT:

1. In keeping with this purpose, the attached Statement of Preamble, Goals and Functions and Basic Philosophy have been adopted by the Commissioners, pursuant to Resolution CJN-44-72 of the Navajo Tribal Council, June 2, 1972.

2. The Navajo Health Authority herewith requests the Federal Government, the Navajo Tribal Council and its subunits, and all philanthropic organizations not to fund or otherwise approve any non-federal programs for construction of any kind of health care facilities or for the operation of any kinds of health care program until the application for such funding has been considered and approved by the

Navajo Health Authority. The major criteria of such approval will include the consistency with which such proposed interventions merge or coordinate with the overall health development activities throughout the Navajo Nation.

CERTIFICATION

This is to certify that on March 13, 1973, in a meeting assembled at Tucson, Arizona, the Board of Commissioners of the Navajo Health Authority, upon a motion by Dr. Bucher, seconded by Glenn George, adopted the foregoing resolution and that same was passed by a vote of 19 in favor and 0 opposed.

(Signed)
Taylor McKenzie, M.D.
Chairman
Board of Commissioners

STATEMENT OF GOALS AND FUNCTIONS

GOAL I — DEVELOP HEALTH MANPOWER TRAINING PROGRAMS APPROPRIATE TO SUPPORT THE DEVELOPMENT OF THE AMERICAN INDIAN MEDICAL SCHOOL AND TO MEET THE NEEDS OF THE AMERICAN INDIANS IN STAFFING THEIR HEALTH CARE SYSTEMS. ACCOMPLISHMENT OF THIS GOAL SHOULD ENCOURAGE INDIAN PEOPLE TO PURSUE A COURSE OF SELF-FULFILLMENT THROUGH TRAINING IN THE HEALTH PROFESSIONS OR ALLIED SKILLS.

A. ESTABLISH AND OPERATE A CENTER FOR HEALTH PROFESSIONS EDUCATION.

1. *Establish an American Indian Medical School.*
2. *Foster the development of other health education curriculum and schools required to support medical education.*
3. *Assure that the curricula for training are substantially oriented toward the practice of health care among the Navajos and other tribes.*
4. *Provide for the preservation and continuation of the Navajo and other Indian healing arts; support the study of those arts and the training of qualified practitioners of those arts; and to incorporate such arts into the health care education and delivery systems.*

B. FULL DEVELOPMENT AND UTILIZATION OF THE BEST OF HEALTH KNOWLEDGE, ATTITUDES AND BEHAVIORS FOR ALL PEOPLE IN THE NAVAJO NATION.

1. *Develop programs of health education based upon essential values of the Navajo culture.*
2. *Develop and maintain ties with surrounding educational institutions.*
3. *Provide adequate information about health careers in order to attract and recruit to the health field those who will experience true fulfillment.*
4. *Work for an educational system which prepares individuals to be self-fulfilling.*
5. *Foster programs of school health education that inform*

young people about the nature and value of health to themselves and the Navajo Nation.

6. *Conduct health education programs in community and chapter areas throughout the Navajo Nation in order to positively influence the health behavior of all of the people and to ensure mechanisms to actively involve all citizens in their health programs.*

C. *EVALUATE THE PERFORMANCE OF THE HEALTH EDUCATION SYSTEM AND ITS COMPONENTS.*

1. *Test the actual performance of the system by comparisons with the standards (yardstick) of operations, established as goals and objectives of the educational system.*
2. *Apply various methods of scientific analysis to the process of evaluating the educational system in such a way as to produce positive results and confidence in those being evaluated and to create interest and desire to improve the effectiveness and/or efficiency of the system or of its components.*

GOAL II — TO FOSTER, GUIDE AND ASSIST IN THE PLANNING, DEVELOPMENT, OPERATION AND EVALUATION OF A HEALTH SERVICE SYSTEM FOR THE NAVAJO PEOPLE WHICH WILL BE EXEMPLARY AND A MODEL FOR THE AMERICAN INDIAN COMMUNITY.

A. *STUDY THE HEALTH STATUS, HEALTH PROBLEMS, HEALTH RESOURCES AND RELATED FACTORS WHICH PERTAIN TO THE HEALTH OF THE PEOPLE IN ORDER TO UNDERSTAND HOW THE HEALTH OF THE PEOPLE CAN BEST BE ASSURED.*

1. *Engage in the collection of data pertaining to the health status of The People, health status trends, present and future health care needs, resources for health care and means of reconciling resources with needs.*
2. *Develop a thorough understanding of Navajo Culture, values, traditions, arts and beliefs in order to reinforce these and support the integrity of The People's ways while searching for appropriate patterns of accommodation between Indian and non-Indian health service methods.*
3. *Commission and carry out analysis of all relevant data in order to furnish guidance for planning efforts. Search for clues to the creation of more effective health maintenance programs, including environmental and behavioral influences, and the current personal health care programs available to the people.*
4. *Establish a data bank for health information and statistics, anthropological and sociological research on the Navajo or related peoples; develop a library of resource materials on the healing sciences and arts as such material may pertain to the work of the Navajo Health Authority.*

B. *PLAN, DEVELOP AND INFLUENCE A HEALTH SERVICE SYSTEM FOR THE PEOPLE WHICH WILL BE EXEMPLARY IN TERMS OF EFFECTIVENESS AND EFFICIENCY AND*

WHICH WILL SERVE AS A MODEL FOR THE AMERICAN INDIAN COMMUNITY PRIMARILY AND OTHER SIMILAR COMMUNITIES.

1. *Develop a concept of operation beginning at the Area (Navajo Nation) level and on through agencies and chapter levels, which if properly organized, staffed, managed and coordinated will effectively and positively influence, preserve and maintain the health of the people.*
2. *Define the goals of the system in terms which can be made measurable and useful in managing and improving the performance of the system and its components.*
3. *Act as the Comprehensive Health Planning Agency for the Navajo People, exercising full authority over the planning, construction, organization, and operation of all health resources, which are consistent with Comprehensive Health Planning Agency, U.S. Public Health Service and Navajo Tribal regulations, within the Navajo lands insofar as this may be necessary in order to secure the effectiveness and efficiency of the health care system. By Law and Federal Health Care system is exempt from CHPA authority.*
4. *Develop the resources and components of the health care system as these may be needed:*
   (a) *Find appropriate means of financing the health care system. Apply for grants, charge service fees, or make recommendations to the Navajo Tribal Council as to the appropriate policy for financing of the system on a continuing basis.*
   (b) *Recruit, train, or cause to be trained, the manpower necessary to staff the health service system.*
   (c) *Build or cause to be built the structures and facilities necessary for the functioning of the health service system.*
5. *Make recommendation to the Navajo Tribal Council with respect to policies which would contribute to the well-being or health of the Navajo people and to use all available resources of the Authority as an instrument of assistance to the Tribal Council in the formulation of policy for the well-being of the people.*

C. *EVALUATE THE PERFORMANCE OF THE HEALTH CARE SYSTEM AND ITS COMPONENTS.*
   1. *Test the actual performance of the system by comparisons with the standards (yardstick) of operations established as goals and objectives of the system.*
   2. *Apply various methods of scientific research in such a way as to produce positive results and confidence in those being evaluated and to create interest and desire to improve the effectiveness and/or efficiency of the system or of its components.*

D. *MANAGE THE FLOW OF RESOURCES AND INFORMATION AMONG THE COMPONENTS IN SUCH WAY AS TO STIMULATE AN ACTIVE AND CONTINUING SEARCH FOR WAYS OF INCREASING EFFECTIVENESS AND*

IMPROVING THE EFFICIENCY OF THE HEALTH CARE SYSTEM. USE DOCUMENTED DATA AS A BASIS FOR REWARDING INCREASED EFFECTIVENESS OR EFFICIENCY AND/OR FOR MODIFYING THE LEAST EFFECTIVE OR EFFICIENT UNIT.

GOAL III — THE BOARD OF COMMISSIONERS WILL ESTABLISH ADDITIONAL GOALS AT TIMES AND OCCASIONS AS APPROPRIATE TO THE CONTINUED DEVELOPMENT OF THE NAVAJO HEALTH AUTHORITY.

CHAPTER 13

Navajo Division of Health Improvement Services

History — Public Law 93-638 — Responsibilities — DHS — Mission of Health Improvement Services — Health Training Programs — Summary of the Principles of the Present Day Navajo Health Philosophy

History

In December, 1976, the Navajo Tribal Council drafted a resolution calling for the creation of a Tribal Office concerning the improvement of the health of the Navajo People. In August of 1977 the Tribe received funding from the Indian Health Improvement Services. Public Law 94-437 enacted by Congress on July 30, 1976 stated:

> *The Congress hereby declares that it is the policy of this Nation, in fulfillment of its special responsibilities and legal obligation to the American Indian People, to meet the national goal of providing the highest possible health status to Indians and to provide existing Indian Health Services with all resources necessary to effect that policy.*

The Navajo Division of Health Improvement Services was established to provide direction for improving the health status of the Navajo people through planning for and delivery of health services which are comprehensive of high quality, reasonably accessible, culturally acceptable, economically efficient and appropriately responsible for Tribal and self-determination of Navajo Health Care.

The Navajo Health Systems Agency works for the Navajo Division of Health Improvement Services as the primary Tribal health planning resource. The Navajo Health Authority works for the Navajo Division of Health Improvement Services as the primary health research, training and manpower development resources. The Indian Health Service provides all the funding for these programs and all activities.

The Navajo Division of Health Improvement Services assumes that traditional Navajo cultural practices of medicine are compatible with modern "scientific" health systems. Poor communication has damaged the role each can play. In fact, the Division is responsible to:

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"... articulate the Navajo Nation-wide health policy... plan for, manage, and deliver health services to the Navajo People which are comprehensive, equitable, accessible, quality-assured, economical, culturally acceptable, humanistically delivered, and sufficiently flexible in management structure to promote creative future health development."

Through the Division of Health Improvement Services the Navajo Tribe is asserting itself as the one and only form of government on the Reservation. The many and sometimes confusing roles of the Health System Program provided on the Navajo Reservation will be coordinated by the Division of Health Improvement Services, at least in attempt.[1]

The frequent lack of 'harmony and beauty' in program development and service delivery is largely a result of well-intentioned non-Navajo physician providers and planners who have poor knowledge of the Navajo culture and too little Navajo community and consumer input. We must remember that the Navajo Tribal Council in the past did not choose to interfere with the actions of these health professionals. The Navajo consumers will express their voice through local community governments and finally through the Navajo Tribal Council and its Division of Health.

Public Law No. 93-638

Public Law No. 93-638 is the Indian Self-Determination and Educational Assistance Act. It provides that any Federal program serving the health needs of the Navajo People may be determined by the Navajo Tribal Council.

Navajo National Comprehensive Health Management Act of 1978:

This Act provides the policies listed below:

A. Tribal coordination of comprehensive health planning.
B. Tribal coordination of Health Delivery organizations.
C. Tribal examination of all possible management and financing options for health.

RESPONSIBILITIES — DHIS

The two primary responsibilities for the Navajo Division of Health Improvement Services are:

A. To act as a single point of contact for all related matters for the Tribal Council and Chairman and with respect to all outside sources, and to the multiplicity of "inside" health providers and planners functioning in the Navajo Nation.
B. To plan for, manage, and deliver health services pursuant to Public Law No. 94-537, No. 93-638, and all other ongoing and future health programs and services.

1. 1978 Annual Report for Division of Health Improvement Services.

MISSION OF HEALTH IMPROVEMENT SERVICES

The mission of the Division of Health Improvement Services is to promote health by and for the Navajo People by assuring the availability of comprehensive, high quality, culturally relevant, and cost effective health services.

Health Training Programs

The Navajo Community College provides key health training programs sponsored by the Navajo Tribe. Most of the student-trainees look forward to becoming active in the Indian Health Service.

1. NURSING COURSES
   Emphasis at NCC on the career ladder for Navajo young people. They can finish with a rating of L.P.N. or they can continue for an A.A. in Nursing and an R.N. rating.

2. MEDICAL LABORATORY TECHNICIAN
   Helping meet the great need for laboratory technicians in the I.H.S.

3. ANIMAL SCIENCE
   Thorough training as veterinary technicians. Encouragement is given to ambitious students who wish to go on and become fully trained veterinarians.

4. EMERGENCY MEDICAL SERVICE
   An advanced 120-hour course for EMT's given by veteran paramedic instructors and visiting physicians.

   There is strong reinforcement for young Navajo men and women to further their technical life-support skills and look ahead to becoming physician's assistants.

The educational philosophy at the NCC aims at giving all Navajo students a deeper insight into their own way of life. It fosters pride in their Navajo culture — and a new awareness of the importance of Navajo native medicine and healing sciences.

This concept is especially meaningful for those in the training programs. With their ability to speak Navajo and with a fuller understanding of the culture and problems of their own people — these trainees can make a distinct contribution to the health care of the Navajo Nation.

SUMMARY OF THE PRINCIPLES OF THE PRESENT-DAY NAVAJO NATION HEALTH PHILOSOPHY[1]

DEFINITION OF HEALTH

Principle Number One: Health for the Navajo Nation today may be defined as that state of complete physical, mental, social, and spiritual well-being in which the wisdom of the ancient Navajos ways can be maximally integrated with harmony and beauty into the philosophy and actions of the future.

PHILOSOPHY OF HEALTH SELF-DETERMINATION

Principle Number Two: The Navajo People are now fully competent to manage and plan for their own affairs and services, including Health Care programs.

Principle Number Three: The Navajo Nation intends to implement its own plan for health self-determination of health services to Navajo People under the control and guidance of the Navajo Tribal Council.

Principle Number Four: True improvement of the Navajo Health Status is more closely related to the triad of Economic Development, Community Development, and Family Development than it is to health care delivery.

Principle Number Five: The first priority for health self-determination for the Navajo Nation is to assume its legitimate right to health self-government under the authority of the Navajo Tribal Council.

Principle Number Six: As a local (sovereign) unit of government for health, the Tribal Council shall control and oversee the following functions:

A. *Establishment of a Navajo Health Philosophy.*
B. *Development and certification of a Navajo Comprehensive Health Development Plan.*
C. *Establishment of a Tribal Health Code, for professional certification and licensing, facility and program operating sanctions, legal aspects of health delivery, health standards, cost-containment, quality-assurance, facility operation, maintenance and construction, and other official governmental practices as typically found in state government and/or as authorized by Congress.*
D. *Establishment of annual official Navajo health priorities for federal, state, and other funding.*
E. *Coordination and regulation of all health-related agencies and entities as provided in the Tribal Health Code and federal law to assume efficient spending of resources and real progress toward state organization objectives.*
F. *Evaluation of the financial accountability, equitability of service distribution, and of the quality of performance of each health program or service provided under the sanction or authority of the Navajo Tribal Council.*

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1. 1978 Annual Report for Division of Health Improvement Services.

Principle Number Seven: The second priority of health self-determination is to assist local community organization to develop the capability for management, planning, and delivery of health services to the extent that they desire to do so.

Principle Number Eight: The third priority for Navajo health self-determination is to develop a Comprehensive Manpower Development and Training Plan to be included in the Navajo Comprehensive Health Development Plan.

Principle Number Nine: An insistence of Indian preference in hiring of key health management perscnnel must be enforced by the Navajo Tribal Council as part of its self-determination philosophy, with simultaneous insistence to maintain the highest possible quality of health services provided by shifting non-Indian skilled professionals to key staff support positions whenever necessary.

Principle Number Ten: Operation of health delivery programs by the Navajo Tribal Government itself should be considered the last priority for health self-determination to be employed only when no other organization is either capable or willing to provide a required service.

PHILOSOPHY OF HEALTH SERVICE DELIVERY

Principle Number Eleven: The Navajo Nation is grateful and very protective of the Indian Health Service funding mechanism and IHS health care programs, and emphasizes that all changes, improvements, and proposed community-based reorganization efforts described herein be accomplished using P.L. No. 94-437, P.L. 93-638, and other existing Congressionally sanctioned federal health funding mechanisms.

Principle Number Twelve: To the extent possible, the Navajo health care system of the future should be more a consumer or patient-oriented system than a provider-oriented one.

Principle Number Thirteen: The Navajo Tribe recommends integration of the many existing federal preventive, disease control, home health, and other "primary care" health programs into a community-based and community-controlled health system, coordinated by the Navajo Tribal Council, funded by the IHS and other federal health funding and managed to the maximum extent desired by local community entities.

Principle Number Fourteen: The Navajo Tribe believes that all members of the Navajo Family should be able to receive primary health care service together at the same community-based primary care facilities and at regional family health centers.

Principle Number Fifteen: In terms of "preventive health care," the Tribe believes in the following priorities: "self-care" is the first and most desirable approach; "family care" for its own members is the next best; "community care" for its families is third; and only if these three mechanisms fail, should "governmental care" be employed.

Principle Number Sixteen: The primary health care services to Navajo People should be sophisticated enough to both recognize and effectively treat minor ailments, while possessing the expertise to recognize and efficiently refer more serious problems to a higher level of care.

Principle Number Seventeen: The design and implementation of the Navajo primary health care system must assure that its funding and services are equitably distributed, quality-assured, economically sound in competition with other real community needs, reasonably accessible, available on a regular basis, well integrated with secondary and tertiary health services, and otherwise appropriate to the geographic, environmental, and political conditions of Navajo communities.

Principle Number Eighteen: The health care services to the Navajo People should be provided in a culturally acceptable manner including the following minimum provisions:

A. *Navajo language should be spoken (and encouraged) at all levels of the system.*
B. *Self-Care should be promoted at all levels of the system, and dependency-creating services should be de-emphasized or provided only in situations of critical eligibility.*
C. *Family Unity should be strengthened at all levels of the system.*
D. *Elderly Navajos should receive services in an integrated manner with other age groups and should receive priority emphasis for preventive services.*
E. *Traditional medicine mechanisms should be encouraged and utilized to the extent possible as an existing preventive health referral service.*
F. *Non-Indian and non-Navajo health professionals should receive a two-to-three week minimum basic Navajo language cultural "field" orientation before attempting to provide health care service to Navajo People.*

Principle Number Nineteen: Secondary and tertiary level or "hospital" services to Navajo People need not be administratively linked to primary care and preventive services but should be communicatively linked to provide better continuity of care to recently discharged and chronically ill patients at the community level.

Principle Number Twenty: The Navajo Tribe, in annually modifying and updating its philosophy of health care delivery, should make an effort to study as many private, federal and foreign health care systems as possible in order to seek constant improvements and innovation in Navajo health care delivery and in the Navajo health status.

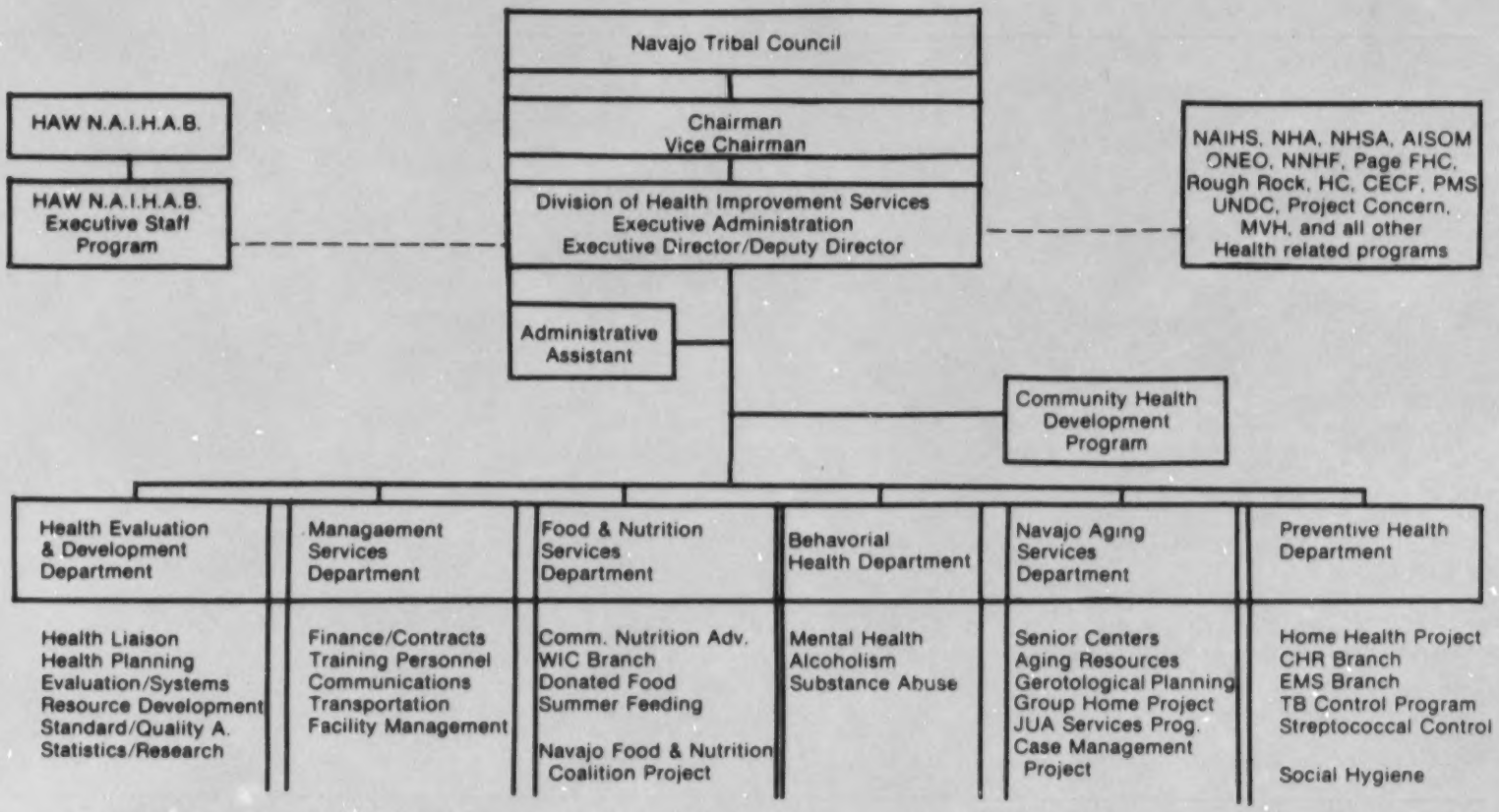
The twentieth principle thus completes this first and interim attempt at articulating the modern Navajo philosphy regarding both health and health care. The Division of Health Improvement Services and its 500 community-based preventive health staff will sincerely appreciate the assistance of the many dedicated health professionals and workers in many organizations and of the People themselves in assisting us to both implement the recommendations gathered herein

and also to improve upon this statement and continue to adapt it to real future conditions.

Jack C. Lewin, M.D.
Executive Director
Division of Health Improvement Services
1978

TABLE 24

NAVAJO DIVISION OF HEALTH
IMPROVEMENT SERVICES
ORGANIZATIONAL CHART
1980



Source: Division of Health Improvement Services

Chinle Nursing Home, Chinle, Arizona

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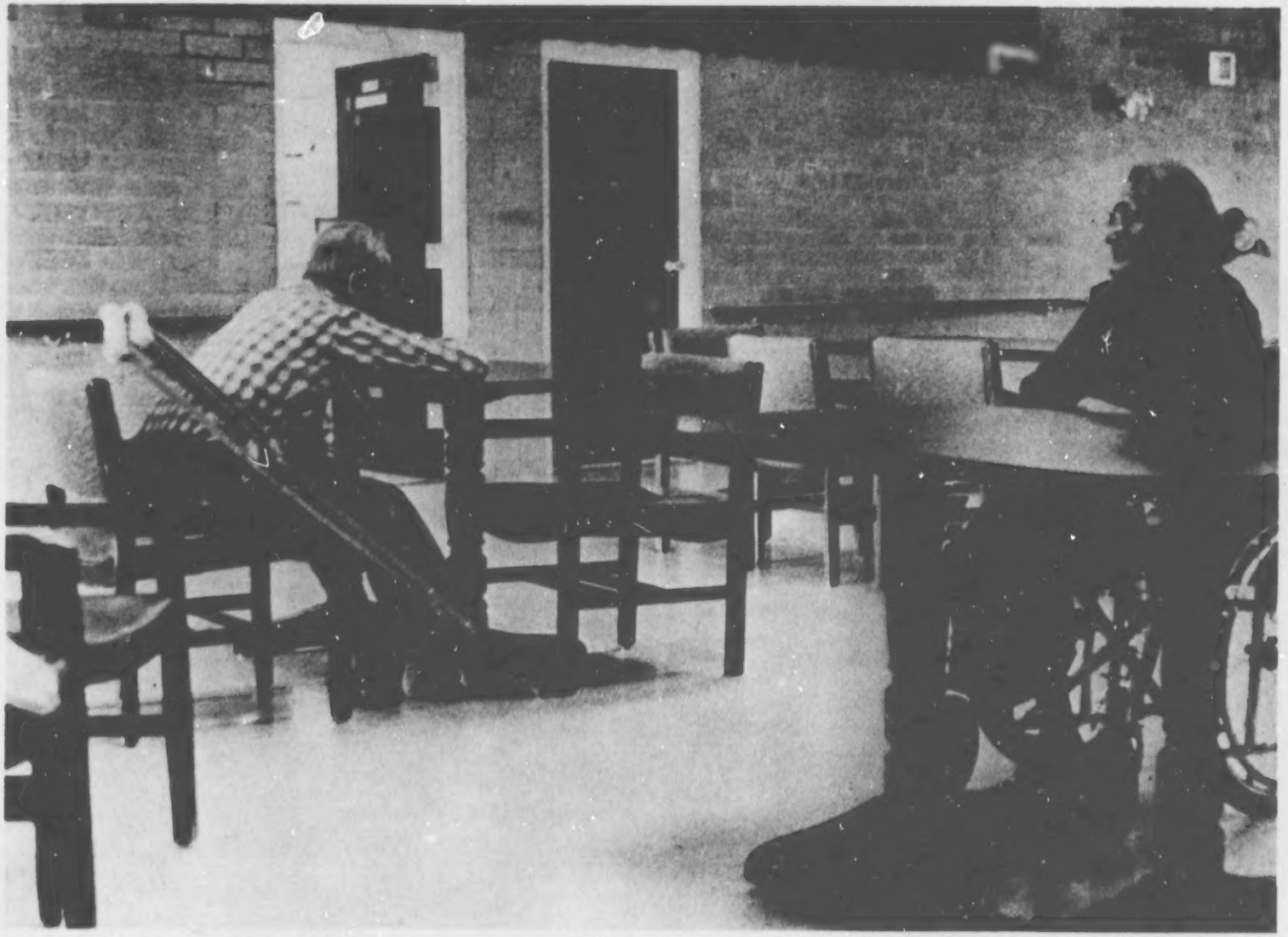

Extended Care facility at Chinle.

Navajo Emergency Medical Technician (E.M.T.) assistance rendered at vehicle accident. Driver was drunk.

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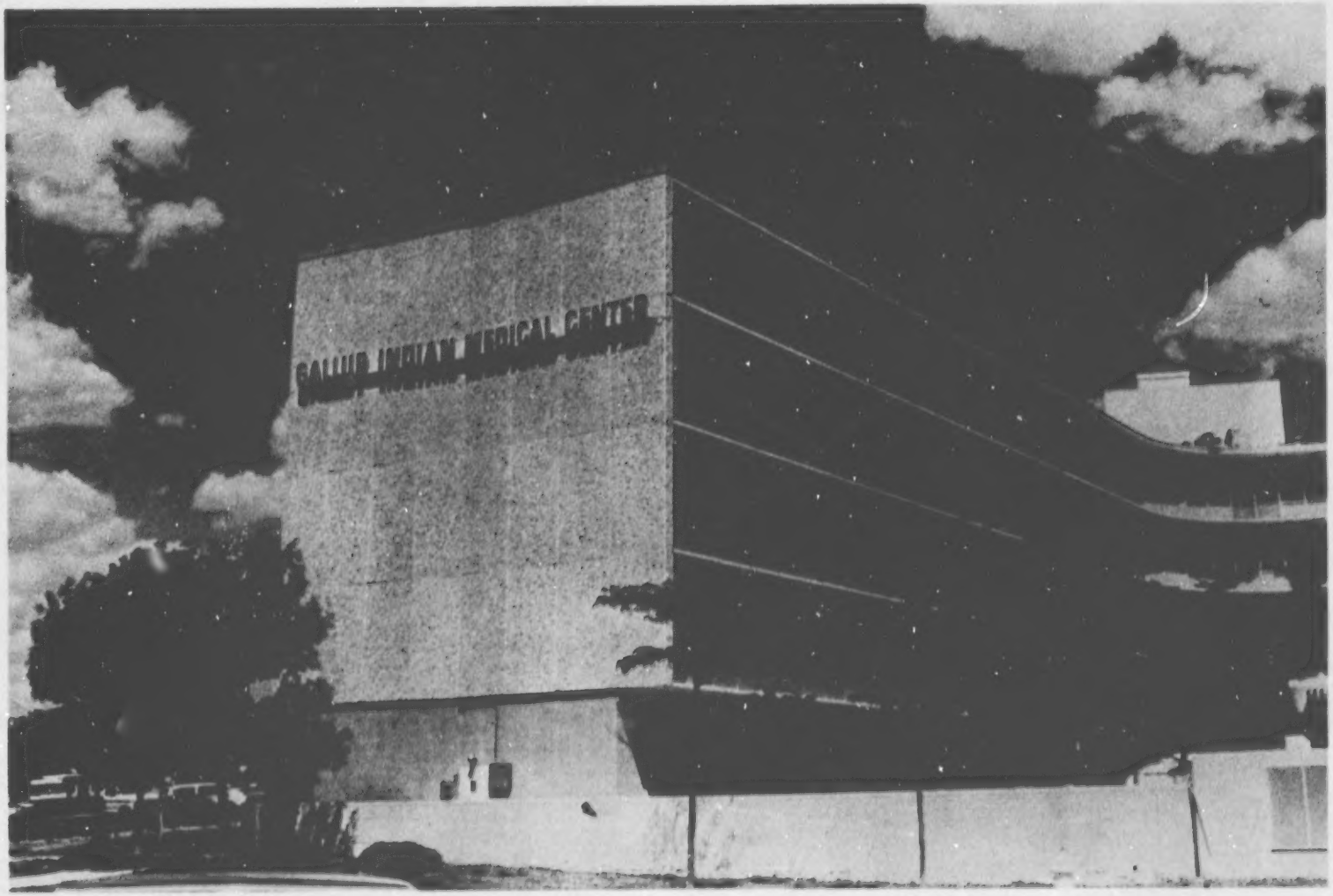

United States Public Health Service Hospital, Gallup, New Mexico.

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Dentist and Navajo assistant.

CHAPTER 14

Navajo Health Systems Agency

Public Law 93-641 — Health Systems Agencies — Navajo Health Systems Agency — Navajo Health Systems Plan

Public Law 93-641

The Congress of the United States passed into law the National Health Planning and Resources Development Act of 1974. This became Public Law 93-641. While the Act is complex, it provides for regional Health Systems Agencies across the United States. It provides Federal funding to promote health planning and resources development. The main aspects of the National Health Planning and Resources Development Act are to:

a. Affect positively the lack of uniformly effective methods of delivering health care.
b. Affect positively the maldistribution of health care facilities and manpower.
c. Affect positively the rapidly increasing cost of health care.

Health Systems Agencies

In order to accomplish its goals, local Health Systems Agencies were established across the United States. There are two hundred five Health Systems Agencies. Each one is responsible for health planning activities in their respective jurisdictions. They are required to revise the appropriateness of the existing institutional health services in their areas. They also can fund development of health resources according to their plans. They are charged with preparing and implementing plans that will improve the health of the residents in each Health Service Area.

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Navajo Health Systems Agency

The Navajo Health Systems Agency was created by a Navajo Tribal Council resolution on June 8, 1976. It is unique in that it is the only Indian Tribe sponsored Health Systems Agency in the country. No other Indian Tribe in the United States can qualify for designation as a Health Systems Agency due to population and land area requirements.

The Tribal Advisory Committee of the Navajo Tribal Council is the Governing Board of the Navajo Health Systems Agency. It is directly responsible to the Governing Body. The Governing Body makes the decisions for the Agency. It is directly responsible to the Governing Body. The Governing Body is selected by the Navajo Tribal Chairman. The Tribal Advisory Committee confirms the Chairman's choices. There are fifteen members of the Governing Body with six major Divisions:

1. Executive Director
2. Office of Administration
3. Plan Development Division
4. Plan Implementation Division
5. Data Management Division
6. Public Involvement and Coordination Division

Navajo Health Systems Plan

On May 27, 1978 the Navajo Health Systems Agency published a five-year plan entitled *Navajo Health Systems Plan 1978-1982.*

This plan includes an area description of the Navajo Reservation. It also provides a Health Status Analysis and a Health Systems Analysis.

The Health Status Analysis is an examination of the major causes of death and illness among the Navajo people. These causes are age, sex and geograhic location. Thereby, general patterns of disease are traced which identify specific groups experiencing the greatest health threats.

The Health Status Analysis revealed the following major findings:

> *Navajo mortality patterns depict an overall death rate lower than that of both the United States and Arizona. Mortality distribution across age groups, however, revealed a population in which many young persons died; age-specific mortality rates exceeded those of Arizona and the United States in general, for all age groups 45 years and under. Almost twice as many males died as females, indicating the role of the underlying behavioral factors.*
>
> *Life expectancy at birth among Navajos fell far below United States life expectancy, especially for Navajo males. Significantly, life expectancy at age one shows a clear increase, indicating the high risk associated with the first year of life.*
>
> *Navajo infant mortality rates slightly exceeded state and national rates. Neonatal (ages 1-28 days) infant death rates actually fell below comparable Arizona and United States figures; post-neonatal rates (ages 28-days - 11 months) were however, extraordinarily high, greater than three times the rate for the United States. This statistic strongly implicates the role of environmental factors, such as sanitation, nutrition and housing, as important determinants of health status. The greatest number of post-neonatal deaths was attributed to pneumonia and diarrhea.*

The most common cause of death was "accidents, poisonings, and violence," responsible for one of every three deaths, predominantly among males, primarily between ages 15-44. Motor vehicle accidents alone, accounted for well over half of all accidents. A large proportion of deaths classified as accidents was attributable to alcohol intoxication.

"Mental diseases" ranked as a leading cause of death. Age, sex and geographic location of "mental disorders," primarily alcoholism, and "accidents," correlate well, supporting the hypothetical relationship between accidents and alcohol abuse, and underlining the significance of alcoholism as the paramount health problem on the Navajo Reservation.

Navajo morbidity was analyzed according to Indian Health Service inpatient and outpatient morbidity records.

"Accidents, poisonings, and violence" were the leading causes of Navajo hospitalizations. The greatest percentage was among males, ages 15-44 years.
"Infective-parasitic diseases" ranked second, with the greatest proportion of diagnoses being "diarrhea, cause unknown," and "bacillary dysentery." A number of exotic infective/parasitic conditions were diagnosed, including "plague," "trachoma," "salmonellosis," and "meningitis." Most reported cases were diagnosed among infants, ages 28 days-11 months, the post-neonatal period during which time infants are most susceptible, indicating the presence of sanitation, nutritional and other health threats.

Of important note is the presence of unusual, "endocrine, nutritional, metabolic disorders," rarely reported elsewhere. Such disorders include nutritional marasmus (starvation), kwashiorkor (protein malnutrition) and vitamin deficiencies, mostly among the very young and very old, the most susceptible groups. The very presence of these conditions significantly implicates the role of under-nutrition as a problem basic to the Navajo.

The leading diagnosis was "diseases of the respiratory system." The majority of cases were infections of the upper respiratory system (URI). The greatest percentage of cases were reported among young children ages 1-4, and adults 25-44.

"Ear Diseases" were reported in an extremely high number of cases. The large majority were diagnosed as acute otitis media, the large proportion among ages 1-4 years.

In summary, both inpatient and outpatient Indian Health Service records show that the young population, especially children ages 0-4 years, are at unusually high risk for infectious disease. Over 59 percent of patients hospitalized for diarrhea were four years of age or under. Overall, the highest percentage of inpatient visits were reported for age group 0-4 years.

Outpatient morbidity indicated similar trends. Of the leading infectious disease diagnoses, upper respiratory infections, gastroenteritis, diarrhea, impetigo, bacillary dysentery and acute otitis media, were all reported

highest among those infants and young children between the ages of 0-4 years.

Alcohol consumption was revealed to be a factor of paramount importance. Accidents ranked as the second and fourth leading cause of inpatient and outpatient morbidity, respectively. Mental disorders ranked as the sixth leading cause of inpatient visits, with alcoholism comprising over 75 percent of all diagnoses. Mental disorders also emerged among the leading ten causes of outpatient morbidity, with alcoholism responsible for over 40 percent of all visits. Clearly, the incidence of alcoholism, as both a direct and indirect cause of illness, exerts a tremendous impact upon the health status of the Navajo people.

Overall, the Health Status Analysis revealed specific disease problems and conditions of concern in the Navajo Area:

- *A high infant mortality rate, and an extraordinarily high post-neonatal mortality rate.*

- *A very high occurrence of accidents, especially motor vehicle accidents, primarily among young males, ages 15-44.*

- *Extremely high rates of alcoholism, and a significant correlation between alcoholism and accidents.*

- *A very high incidence of infective/parasitic diseases, especially gastroenteritis/diarrhea, bacillary dysentery, and strep throat, with the highest percentage of diagnoses among post-neonatal infants. Also reported were such exotic and otherwise rarely occurring infectious diseases, such as plague, salmonellosis and trachoma.*

- *A very high rate of respiratory diseases, pneumonia, upper respiratory infections and bronchitis, also highest among age group 0-4, with the greatest proportion afflicting infants 28 days-11 months old.*

- *An unusually high occurrence of nutritional diseases of an exotic and uncommon nature, including kwashiorkor, nutritional marasmus and vitamin deficiencies.*

The pattern of disease occurrence among Navajos is significantly related to the "third world syndrome", and implicates a variety of broad, deeply-entrenched etiological factors — sanitation, nutrition, housing and behavior.

CHAPTER 15

Motor Vehicle Accidents the Major Killer

Motor Vehicle Accidents on the Navajo Reservation: 1973-1975

Deaths - Accidents — Conditions — Alcohol

Motor vehicle accidents are one of the major killers on the Navajo Reservation. To more clearly understand this problem and related causes read the pamphlet *Motor Vehicle Accidents on the Navajo Reservation: 1973-1975*, issued by the Navajo Health Authority and written by Dr. Philip May and Dr. Philip Katz.

> *Motor vehicle accidents are the leading cause of death among the Navajo, just as they are among all Indians in the United States. The motor vehicle accident death rate for all U.S. Indians is three times as high than for non-Indians. For the Navajo, the average male life expectancy is lowered over five years by motor vehicles. In other words, instead of a life expectancy of 64 years, because of the high rate of motor vehicle deaths, the average Navajo male can only expect to live a little over 58 years. For females, accidents lower their expectancy over two years.*
>
> *In addition to being a problem of death among the Navajo, motor vehicle accidents cause many injuries. Accidents of all kinds accounted for 14% of all Navajo inpatient hospital visits and 7% of all outpatient visits. Therefore, accidents are a problem for those injured and for the health care system to handle.*
>
> *Because motor vehicle crashes are such a large problem, the Navajo Auto Accident Research and Analysis Project was undertaken in 1977. Due to the overlapping jurisdictions of the States of Arizona, New Mexico, and Utah with the Navajo Tribe, no one source of information existed for the study of records on motor vehicle accidents. It was therefore necessary to collect information from police and highway records of the States of New Mexico and Arizona, and the Navajo Police. The entire summer of 1977 was used to collect the information. In all, data on approximately 3,000 accidents were collected with information on a variety of factors relating to motor vehicle crashes. These factors include weather and road conditions, driver characteristics and other items which are discussed next.*

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Information was collected on all motor vehicle accidents occurring on the Reservation and on important off-reservation connecting roads (roads leading to Gallup, Farmington, Interstate 40, etc.), which are heavily travelled by Navajos. The goal was to determine the total number and types of accidents which involve Navajos in the Reservation area. Because information was collected on all accidents, some information on non-Indians is included in the information. In the results below, when race is not specified, the data includes both Indian and non-Indian accidents occurring within the study area. In general, the study area includes the following roads: all roads north of Interstate 40 in Arizona and New Mexico (including I-40) from Flagstaff to Thoreau, all roads south of the Northern boundary of the Reservation, all roads west of and including S-44 in New Mexico, and all roads east of and including U-89 from Flagstaff to Page, Arizona.

The major results of the study are highlighted below in summary fashion. A wide variety of more detailed information exists in other reports and can be obtained from the Navajo Health Authority.

Total Accidents

The study included data on three years of fatal accidents (accidents causing at least one death) and one year of non-fatal accidents. The following is the total number of accidents occurring in the Navajo Reservation study area during this period:

1973 188 fatal accidents
1974 136 fatal accidents
1975 176 fatal accidents - 2,347 non-fatal accidents

Only small "fender bender" accidents occurring in bordertowns, such as Farmington, were excluded from the above totals.

Total Deaths

As a result of the 500 fatal accidents occurring 1973-1975, a total of 612 deaths were recorded in the police and highway records. Of these deaths, 72% were Indians (virtually all Navajo), and 28% were non-Indian. Of all the deaths, 63% were drivers or pedestrians, and 37% were passengers.

Total Injury

Of the drivers involved in the fatal crashes, 160 or 22%, received no injury, the other 577, or 78% were injured to some extent. Of the drivers in non-fatal accidents, 2,520, or 77% received no injury while 744, or 23%, were injured. Of the 4,404 passengers in vehicle accidents, 2,511 (57%) were injured. Several accidents involved as many as 14 people. In 1975 over 7,000 people were in accidents.

County of Accidents

In the table (Table 25), the county where accidents occurred is presented. More accidents (both fatal and non-fatal) occur in McKinley County than any other county. Thirty-six percent of all fatal accidents are in McKinley County. New Mexico accounts for 63% of all fatal accidents, but only 45% of non-fatals.

Route of Fatal Accidents

The routes where most fatal accidents occur are presented in Table 26.

TABLE 25

COUNTY WHERE ACCIDENTS OCCURRED, 1973-1975,
BY FATAL AND NON-FATAL

	FATAL (1973-1975)		NON-FATAL (1975)	
	Number	Percent	Number	Percent
McKinley (NM)	176	35.6	597	25.4
San Juan (NM)	135	27.3	401	17.0
Apache (AZ)	84	17.0	604	25.7
Navajo (AZ)	40	8.1	201	8.6
Coconino (AZ)	59	11.9	486	20.7
Other*	0	----	54	2.3
Unknown	6	----	4	----
TOTAL	500	100%	2,347	100%

TABLE 26

FATAL ACCIDENT CASES, 1973-1975
BY ROUTE AND RACE:

Route	Indian Cases	Non-Indian	Mixed Indian/ Non-Indian	Total
I-40	14	42	18	74
S-264	41	0	7	48
U-666	33	3	10	46
U-550	18	13	9	40
U-66	15	7	10	32
U-160	14	8	7	29
State Routes (5)	11	6	7	24
Navajo Routes (5)	20	2	0	22

Interstate 40 has the most fatal accidents, but few involve Indians. Routes where Indian fatal accidents occur most are the heavily travelled, two-lane roads leading to bordertowns (S-264, U-666, U-550, and U-66).

Rates of Accident Death

In the United States in 1974, the rate of accidental death from motor vehicles was 26.5 per 100,000 people. This study shows the Indian rate (Navajos and a few other Indians) to be 96 per 100,000, or three times the U.S. rate. This rate is also higher than the Arizona and New Mexico rates of 31 and 42 respectively.

Rates of death per 100 million miles travelled were also calculated for most routes covered in this project. These rates focus on those persons at risk, that is those who are driving and how far they are driving. On virtually all routes, the rates were higher than the rates of the U.S.A., Arizona, or New Mexico.

Month of Accidents

The months when most accidents occur are July, November, and December. The month with the most fatal accidents is July (12.6%). Table 27 presents the data for each month. Summer is the most common season for fatal accidents while summer and fall are most common for non-fatal.

Day of the Week

More motor vehicle accidents happen on the weekend than during the weekdays. The short period of 6:00 p.m. on Fridays until 6:00 a.m. on Monday accounts for over half of all fatal accidents and over 40% of all non-fatal accidents. A breakdown of accidents by day of the week is in Table 28.

Hour of Accidents

For all accidents, the most frequent times are 8:00 a.m., 12:00 noon, and 5:00 through 7:00 p.m. The evening (5-7 p.m.) alone accounts for 19% of all accidents. Non-fatal accidents are most likely in the afternoon (over 30%), and fatal accidents vary by type of accident. Single vehicle fatal accidents are most common in the morning, multiple vehicle accidents in the evening, and pedestrian accidents at night.

Light Conditions

With the exception of single vehicle accidents, most fatal accidents occur in darkness. Non-fatal accidents are also frequent in the darkness with the exception of multiple vehicle crashes.

Weather Conditions

Virtually all accidents on the Navajo Reservation occur under clear weather conditions. Over 90% of all fatal accidents and 80% of all non-fatal accidents are on clear days or nights.

Road Conditions

Over 90% of all fatal and non-fatal accidents covered by police records are on paved roads. Also, 90% of all fatal accidents and over 80% of all non-fatal accidents are on dry roads.

TABLE 27

MONTH OF ACCIDENT BY FATAL
AND NON-FATAL, 1973-1975

Month	FATAL (1973-1975)		NON-FATAL (1975)	
	Number	Percent	Number	Percent
January	31	6.2	185	7.9
February	32	6.4	183	7.8
March	31	6.2	179	7.6
April	42	8.4	163	6.9
May	49	9.8	179	7.6
June	47	9.4	180	7.7
July	63	12.6	221	9.4
August	52	10.4	203	8.6
September	40	8.0	199	8.5
October	45	9.0	197	8.4
November	33	6.6	222	9.5
December	36	7.2	234	9.9
Unknown	---	---	2	---
TOTAL	500	100.0	2,347	100.0

TABLE 28

DAY OF THE WEEK OF ACCIDENTS (1973-1975)
BY FATAL AND NON-FATAL

Day	FATAL (1973-1975) Number	FATAL (1973-1975) Percent	NON-FATAL (1975) Number	NON-FATAL (1975) Percent
Sunday	72	14.4	352	15.0
Monday	41	8.2	290	12.4
Tuesday	54	10.8	283	12.1
Wednesday	60	12.0	301	12.8
Thursday	52	10.4	310	13.2
Friday	81	16.2	387	16.5
Saturday	140	28.0	422	17.9
Unknown	---	---	2	----
TOTAL	500	100.0	2,347	100.0

Type of Vehicle

Over half of all Navajo vehicles involved in auto accidents (fatal and non-fatal) are pickups compared with only 20% of non-Indian vehicles in accidents on the Reservation study roads. This is no surprise since a majority of the primary vehicles owned by Navajos are pickups.

Type of Crash

Table 29 presents the data on type of vehicular accidents. Pedestrian accidents are usually fatal and collisions with animals seldom cause death for humans in this study. There is a high frequency of single vehicle accidents in both fatal and non-fatal accidents.

Hit and Run Accidents

Less than 3% of all multiple vehicle accidents are hit and run. Pedestrian accidents, however, show an alarmingly high rate of hit and run. Fatal pedestrian accident statistics indicate 25% of Indians and 7% of non-Indians hit and run. Non-fatals show the percentages to be approximately 2% for both Indians and non-Indians for all types of accidents.

Age of Driver

Persons involved in fatal accidents are generally young. Seventy percent of single vehicle fatal crash drivers among Indians are under 30 years of age. For all fatal accidents, approximately 50% of all drivers, both Indian and non-Indian are 30 years of age or younger. Non-fatal accident drivers are only slightly older.

Alcohol Involvement

Police records in the U.S. under report alcohol involvement unless blood samples are used. When blood samples are not used, slightly less than 20% of all fatal accidents are shown to be alcohol involved in that at least one driver, or the pedestrian, in the crash had been drinking prior to the accident. In Arizona police records show that 20,21 and 22% of fatal crashes in 1973 through 1975 involved alcohol. Non-fatals in Arizona range from 8-12% alcohol involved.

Study data shows that over 40% of Indian fatal accidents are alcohol involved as compared to approximately 20% of non-Indian accidents on the study roads. Non-fatal crashes show lower alcohol involvement, approximately 25% for Indians and 6% for non-Indians.

Driver's License

A high percentage of unlicensed drivers are involved in accidents on the Reservation. Table 30 shows that between 15 and 33% of all Indian drivers involved in accidents are not licensed. Invalid license or no license is a problem with between 1.2 and 7.6% of non-Indians.

Accident Prevention Suggestions

A variety of techniques have been used to try to prevent accidents from happening and death and serious injury when they do happen. The following is a short suggestion list of useful tasks for accident prevention which have helped with the problem elsewhere and appear to apply to the situation existing in the Navajo Nation:

TABLE 29

TYPE OF ACCIDENT FOR FATALS AND NON-FATALS
BY FREQUENCY AND PERCENT

Type of Accident	FATAL (1973-1975) Number	FATAL (1973-1975) Percent	NON-FATAL (1975) Number	NON-FATAL (1975) Percent
Single Vehicle	213	42.6	1,281	54.6
Multiple Vehicle	168	33.6	913	38.9
Pedestrian	117	23.4	33	1.4
Vehicle-Animal	1	0.2	118	5.0
TOTAL	499	100.0	2,345	100.0

TABLE 30

PERCENTAGES OF INDIAN AND NON-INDIAN DRIVERS WITH NO LICENSE OR INVALID LICENSES BY FATAL AND NON-FATAL ACCIDENTS

	FATAL		NON-FATAL	
Type of Accident	*Indian*	*Non-Indian*	*Indian*	*Non-Indian*
Single Vehicle	*32.6*	*2.9*	*24.4*	*2.7*
Multiple Vehicle	*15.5*	*7.6*	*20.2*	*1.2*
Pedestrian-Vehicle	*16.7*	*2.2*	*20.7*	*1.6*

Social and Government Level

1. *Encourage driver training and defensive driving courses.*
2. *Encourage more people to obtain valid licenses - spot checks by police are useful.*
3. *Enforce the 55 mile an hour speed limit.*
4. *Encourage the use of seat belts for all drivers and passengers.*
5. *Educate people so that they know what causes accidents and are convinced that they are preventable.*
6. *Discourage driving and drinking.*
7. *Promote effective Emergency Medical Services and Care, especially in remote rural areas.*

Individual Level

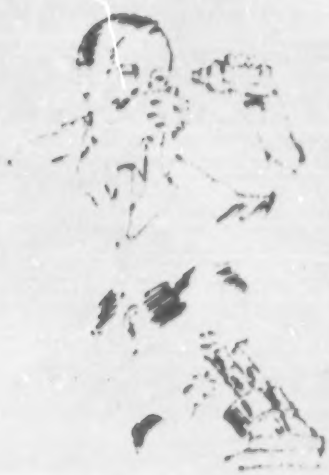
1. *Drive defensively and take a defensive driving course.*
2. *Keep current in your knowledge of driving safety.*
3. *Wear seat belts at all times and encourage others to do so.*
4. *Don't drink and drive.*
5. *Don't speed.*
6. *Avoid driving on heavily travelled roads at times when accidents are to be more frequent. (For example, avoid certain high risk routes after dark, particularly on weekends).*
7. *Learn first aid, emergency care and what to do when you see or encounter an accident.*

Further Information

The above information is a summary of data available on accidents on the Navajo Reservation. A considerable amount of additional information is contained in other reports and computer printouts at the Navajo Health Authority in Window Rock. Much of this information is designed for health planners and people who want to work for accident prevention.

Information on Driver Safety and Defensive Driving can be obtained from the Navajo Division of Safety. Also, information about Navajo Emergency Medical Services is available from the Navajo Office of Emergency Medical Services in Fort Defiance. Emergency Medical Training and information regarding emergency care is handled by the Office of Allied Health Training of the Navajo Health Authority in Window Rock.

CHAPTER 16



Health Planning Terms[1]

Health Planning Terms Glossary

Because of the increased interest, money and study spent on health and health planning, this Glossary of Health Planning Terms has been included.

ANNUAL IMPLEMENTATION PLAN (AIP): A detailed plan required under the "National Health Planning and Resources Development Act of 1974" (P.L. 641), specifying how to implement recommendations, and giving priority to short run objectives (one year), which are aimed towards achieving the goals of the HSA, detailed in its Health Systems Plan.

AREA-WIDE COMPREHENSIVE HEALTH PLANNING AGENCY (AREA-WIDE CHP, or 314B Agency): A sub-state (usually multi-county) agency, created by the Comprehensive Health Planning and Public Health Service Amendments of 1966 (P.O. 89-749), and charged with the preparation of plans for the coordination and development of existing and the new health services, manpower, and facilities. The CHP agencies were also authorized to review and comment upon proposals from hospitals and other institutions for development of programs and expansion of facilities, but had no significant powers of enforcement. The CHPs laid the foundation for, and were in some cases, the direct predecessors of Health Systems Agencies, which were empowered with expanded duties and authorities.

A-95 AGENCY: An agency designated to implement the review and comment procedures promulgated by Office of Management and Budget Circular A-95.

CERTIFICATE OF NEED: A certificate issued by a governmental body to an individual or organization proposing to construct or modify a health facility, or offer

1. Excerpted from the Navajo Health systems Agency Annual Report dated December 1978.

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a new or different health service, which recognizes that such facility or service when available will be needed by those for whom it is intended. Where a certificate is required (for instance for all proposals which will involve more than a minimum capital investment or change bed capacity), it is a condition of licensure of the facility or service, and is intended to control expansion of facilities and services in the public interest by preventing excessive or duplicative development of facilities and services. Under the National Health Planning and Resources Development Act, P.L. 93-641, all States are required to have the State Health Planning and Development Agency administer a State certificate of need program, which must apply to all new institutional health services proposed to be offered or developed in the State. The local Health Systems Agencies are required to make recommendations to the State agencies regarding certificate of need decisions within their areas.

CONSUMER: A person who utilizes health care services, and does not receive more than one-tenth of their income from a health-related business (including spouse's income). While all people at times consume health services, a consumer as the term is used in health legislations or programs is usually someone who is not associated in any direct or indirect way with the provision of health services. The distinction has become important in programs where a consumer majority on the Governing Body is required, as is the case of Health Systems Agencies.

DIVISION OF HEALTH IMPROVEMENT SERVICES (DHIS): The Division of Health Improvement Services was designated by the Navajo Tribe in August, 1977 as the agent responsible for directing, planning and delivering health services pursuant to P.L. 93-638 and P.L. 94-437, and for all other on-going and future planned health-related programs on the Navajo Nation. DHIS has entered into informal agreement with the Navajo HSA, whereby NHSA will be responsible for the development of a Tribal Specific Health Plan (P.L. 94-437), and DHIS will act as the primary mechanism for public input into the tribal health planning process and assume responsibility for initiating the coordination of all implementation efforts.

GOVERNING BODY: This group is responsible for decision-making with regard to health planning and development functions of the HSA. The Governing Body is authorized to direct the specific operations of the HSA. The Navajo HSA Governing Body consists of 15 members, including health providers and consumers, with consumers representing a majority, and including a representative cross-section of Navajo people from across the Reservation in terms of age, sex, and geographic location of residence. Members of the Navajo HSA Governing Body are selected by the Navajo Tribal Chairman from a list of nominees, and confirmed by the Governing Board of the Navajo HSA.

GOVERNING BOARD: This group has responsibility for the overall operations of the HSA. The Governing Board of the Navajo HSA is the Advisory Committee of the Navajo Tribal Council.

DHEW REGION: The Department of Health, Education and Welfare has divided the United States into ten regional areas for administrative purposes. Arizona is in Region IX, Utah in Region VII, and New Mexico in Region I. The Navajo HSA relates primarily to Region IX, in San Francisco.

HEALTH PLANNING: Planning concerned with improving health, whether undertaken comprehensively for a whole community or for a particular population, type of

health service, or health program. Some definitions include all activities undertaken for the purpose of improving health (such as education, traffic and environmental control and nutrition) within the scope of responsibility of the planning process; others are limited to including conventional health services and programs.

HEALTH SERVICE AREA: A geographic area appropriate for the effective planning and development of health services. Section 1511 of the National Health Planning and Development Act (P.L. 93-641) requires that Health Service Areas be delineated throughout the United States. The governors of the various States designate the areas using requirements specified in the law respecting geography, political boundaries, population, health resources and coordination with areas defined for other purposes. Each Health Service Area is designated the geographic area for which the local Health Systems Agency has planning responsibilities. The Navajo Reservation is the Health Service Area for the Navajo HSA.

HEALTH STATUS: The state of health of a specified individual, group or population. It is as difficult to describe or measure as the health of an individual, and may be measured with people's subjective assessment of their health, or with one or more indicators of mortality and morbidity in the population, such as longevity, maternal and infant mortality, and the incidence or prevalence of major disease. (communicable, coronary, malignant, nutritional).

HEALTH SYSTEMS AGENCY (HSA): The local health planning and resources development agency, designated under the terms of Public Law 93-641. The National Health Planning and Resources Development Act P.L. 93-641 requires the designation of an HSA in each of the Health Service Areas in the United States. HSAs are non-profit private corporations, public regional planning bodies, or single units of local government. The Navajo Health Systems Agency is a single unit of local government. The designated HSA is charged with performing the health planning and resource development functions specified under P.L. 93-641. HSA functions include preparation of a health systems plan (HSP) and an annual implementation plan (AIP), the issuance of grants and contracts, the review and approval or disapproval of proposed uses of a wide range of Federal funds in the agency's health service area, and review of proposed new and existing institutional health services. HSA's replace existing area-wide CHP agencies, but with expanded duties and powers.

HEALTH SYSTEMS PLAN (HSP): a long range health plan prepared by the Health Systems Agency for its Health Service Area, projecting health needs and specifying health goals considered appropriate by the agency for the area. The HSP is prepared after consideration of national guidelines issued by HEW, and study of the characteristics, resources and special needs of the health service area.

HILL-BURTON: Legislation, and the programs operated under that legislation for Federal support of construction and modernization of hospitals and other health facilities, beginning with P.L. 94-725, the Hospital Survey and Construction Act of 1946. The original law, which has been amended frequently, provided for surveying State needs, developing plans for construction of hospitals and public centers, and assisting in constructing and equipping them. Until the late 1960's, most of the amendments expanded the program in dollar amounts and scope. More recently, the administration has attempted to terminate the program while the Congress has sought to restructure it

toward outpatient facilities, to serve areas deficient in health services and training facilities for health and allied health professions.

INDIAN HEALTH SERVICE: The Bureau of the United States Public Health Service Department of Health. Education and Welfare, which is responsible for delivering health care to Native Americans throughout the country. Transfer of the Indian health program from the U.S. Department of the Interior to the Public Health Service, took place in 1955. The Federal government has variable but direct legal obligations to provide health services to most Indian people; the Indian Health Service is responsible for trying to fulfill these obligations within its very severe budgetary constraints.

MEDICAID (TITLE XIX): A Federally-aided, State operated and administered program which provides medical benefits for certain low-income persons in need of health and medical care. The program, authorized by Title XIX of the Social Security Act, is basically for the poor. It does not cover all of the poor, however,but only persons who are members of one of the catergories of people who can be covered under the welfare cash payment programs - the aged, blind, disabled, and members of families with dependent children where one parent is absent, incapacitated or unemployed. Under certain circumstances States may provide Medicaid coverage for children under 21 who are not categorically related. Subject to broad Federal guidelines, States determine the benefits covered, program eligibility, rate of payment for providers, and methods of administering the program. Medicaid is estimated to provide services to some 25 million people, with Federal-State expenditures of approximately $15.5 billion in Fiscal Year 1975.

MEDICARE (TITLE XVIII): A nationwide health insurance program for people ages 65 and over for persons eligible for social security payments for over two years, and for certain workers and their dependents who need kidney transplantations or dialysis. Health insurance protection is available to insured persons without regard to income. The program was enacted July 30, 1965, as Title XVIII - Health Insurance for the Aged - of the Social Security Act, and became effective on July 1, 1966. It consists of two separate but coordinated programs: hospital insurance (Part A), and supplementary medical Insurance (Part B).

NAVAJO HEALTH AUTHORITY (NHA): The Navajo Health Authority was created by Navajo Tribal Council Resolution. The primary goals of NHA are: 1) to develop health manpower training programs appropriate to support the development of the American Indian School of Medicine (AISOM), and to meet the needs of American Indians in staffing their health care system, through training in the health professions and allied skills; and 2) to foster, guide and assist in the planning, development, operation and evaluation of an exemplary Navajo health care delivery system.

NAVAJO HEALTH SYSTEMS AGENCY (NHSA): Created by Navajo Tribal Council Resolution, the Navajo Health Systems Agency is the health planning agency for the Navajo Health Service Area under P.L. 93-641. The Navajo Health Systems Agency, in addition to performing health planning and resource development functions under P.L. 93-641, "The National Health Planning and Resources Development Act, has also entered into informal agreement with the Navajo Area Indian Health Service and Tribal Division of Health Improvement Services to develop a Navajo Master Health Plan which would fulfill the intent of P.L. 94-437, "The Indian Care Improvement Act."

NAVAJO TRIBAL COUNCIL (NTC): This 74 member body comprises the elected representation of the Navajo People. The Navajo Tribal Council is the primary decision-making political group of the Navajo Nation.

PROFESSIONAL STANDARDS REVIEW ORGANIZATION (PSRO): A physician-sponsored organization charged with comprehensive and on-going review of services under the Medicare, Medicaid and Maternal and Child Health programs. The purpose of this review is to determine for purposes of reimbursement under these programs whether services are: medically necessary; provided in accordance with professional criteria, norms and standards; and, in the case of institutional services, rendered in an appropiate setting. PSRO areas have been designated throughout the country, and organizations in many of these areas are at various stages of implementing the required review functions.

PUBLIC LAW 93-641: "The National Health Planning and Resources Development Act of 1974," authorizes the creation of a number of planning mechanisms to promote more equal access to quality health care at reasonable costs, including the creation of local Health Systems Agencies and State Health Planning and Development Agencies, as the primary means whereby the intent of the law is achieved.

PUBLIC LAW 94-437: "The Indian Health Care Improvement Act," intended to improve Indian health status, and provide the necessary resources for Indian health service. This law requires the development of a Tribal Specific Health Plan for the allocation of Federal funds for Indian health.

PUBLIC LAW 93-638: "The Indian Self-Determination Act" is aimed at increasing Indian participation in the development and direction of programs and services conducted by the Federal government for Indians. This law is intended to render Federal services more responsive to the needs and desires of Indian Tribes. Under this law, Indian Tribes now have the option of contracting for and delivering services to greater reflect their needs and decisions.

REGIONAL MEDICAL PROGRAM (RMP): A program of Federal support for regional organizations, called Regional Medical Programs, which seek in their regions to improve the care for heart disease, cancer, stroke and related diseases. The legislative authority, created by P.L. 89-239, is found in Title IX of the PHS Act. The programs were heavily oriented towards initiating and improving continuing education, nursing services, and intensive care units. Some features of the RMP program were combined into the new health planning program authorized by P.L. 93-641.

SECTION 1122: A section of the Social Security Act specifying that Medicaid and Medicare payments will not be made to facilities making capital expenditures that are not consistent with health planning agency decisions.

STATE HEALTH PLAN (SHP): A plan composed of the health systems plans of the Health Systems Agencies in the State. The SHP is prepared in preliminary nature by the State Health Planning and Development Agency and finalized by the Statewide Health Coordinating Council.

STATEWIDE HEALTH COORDINATING COUNCIL (SHCC): A Council of providers and consumers (who comprise a majority), created under P.L. 93-641. Section 1524. Each SHCC generally will supervise the work of the State Health Planning and Development Agency, and review and coordinate the plans and budgets of the State's Health Systems Agencies (HSA). It will also annually prepare a State Health Plan from HSA plans. The Navajo HSA relates to three State wide Health Coordinating Councils. Agreement has been reached to relate primarily to the Arizona SHCC as the lead State Agency, while maintaining liaison with the Utah and New Mexico SHCCs. The Navajo HSA is the only HSA to relate to three SHCCs.

STATE HEALTH PLANNING AND DEVELOPMENT AGENCY (SHPDA): Established under Section 1521 of P.L. 93-641, SHPDA's prepare an annual preliminary State Health Plan and State Medical Facilities Plan. SHPDA's also serve as the designated review agency for purposes of Section 1122 of the Social Security Act and administer a certificate-of-need program.

STATE MEDICAL FACILITIES PLAN (SMFP): A plan prepared by the State Health Planning and Development Agency outlining financial assistance for health facility modernization or construction projects.

AREA HEALTH BOARD: Composed of the Tribal Health, Alcoholism and Welfare (HAW) Committee, plus eight representatives from the Service Unit Health Boards, the Area Health Board acts in an advisory capacity to the Indian Health Service.

HEALTH, ALCOHOLISM AND WELFARE (HAW) COMMITTEE: The HAW Committee is a standing committee of the Navajo Tribal Council. The HAW Committee acts in a policy-making capacity in the areas of health, alcoholism and welfare.

Unit 5

CONTEMPORARY VIEWPOINTS

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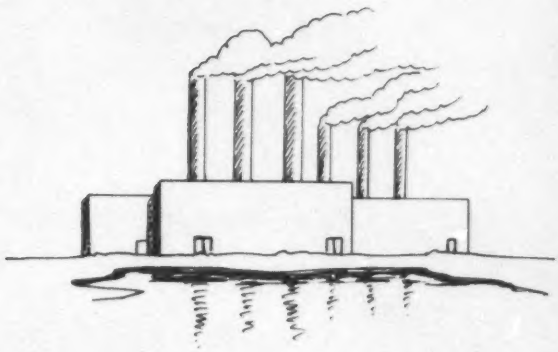
CHAPTER 17



Current Issues and Tribal Monies

Energy and the Navajo Tribal Government — A Look at the Tribal Budget
Federal Support of the Navajo Tribe — Navajo Tribe Organizational Chart

Energy and the Navajo Tribal Government

The Navajo Tribe today is concerned with many issues and the impact these issues will have on the Navajo Reservation. One of the primary issues of the day, of course, is energy. The great increase in the cost of foreign oil has caused the United States to look to all of its resources to fill the nation's energy needs. The energy resources on the Navajo Reservation, as well as the energy resources on other Indian reservations in the western United States, are of utmost importance to all Americans. This makes energy development a top priority to the Navajo Tribe.

Current energy debates center on these questions: "Should coal gasification be allowed?" "Should more uranium development be permitted?" "Should more coal strip mines be developed?" "Should the present strip mines be expanded?" "Should more electric power plants be built on the Navajo Reservation, particularly in the Shiprock area?" All of these questions are of great concern to the Navajo Tribal Council.

With increased development of the immense energy resources of Navajo land comes increased revenues (income) to the Navajo Tribe. So, at the same time as the Tribal Council and all Navajos are concerned with conservation, they are also concerned with how the Tribe will finance the improvement of the quality of life for all Navajo people. Quality of life improvements might be financed by increasing Tribal revenues from reservation energy sources. Increased revenues, in turn, can mean more jobs, better roads, improved education and vocational training, and expansion of water, sanitation and electrical utilities for the Navajo people.

There are other areas of concern besides energy which affect the Navajo Tribe today. Education is one such area, and it is an issue which has been of great interest to the Navajo people for many years. Some people, however, feel that education does not receive the attention which it deserves. These people feel that Navajo education is being slighted in favor of energy programs and other political issues.

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Likewise, many individuals concerned with health care and improving current health services feel that health is not receiving the support and financing it requires.

What are the priorities of the Navajo Tribal Government today? One way of determining this is to look at the Tribal budget — at where the Tribe spends its money.

A Look at the Tribal Budget

We can review the proposed budget for the *fiscal year* 1980 and see what the total budget was. Then we can compare how much money is spent for different areas and different priority issues. This will tell us something about the tribe's *values*, or priorities, in terms of the number of dollars it spends on different programs.

In 1980, Education received about $480,000 from the tribe's own revenues.[1] This $480,000 is taken out of the tribe's total budget of $29 million. This means that the tribe was willing to spend a little more than one-and-one-half percent of its own money for the education of its young people during that year.

The Division of Public Safety, which includes the Navajo Police Force, received approximately 13.5 percent of the money from the 1980 budget. This means that Public Safety received about 8.5 times more of the money made by the tribe than did the Division of Education.

The Division of Community Development, which provides water and sanitation for communities around the reservation, received about 14 percent of the tribe's income in 1980.

The Division of Health Improvement Services is concerned with the coordination and administration of all health services on the Reservation. In 1980 it received nearly 9 million dollars, but only $156,084, or 1/63rd of that amount came from the tribe's own revenues. The $156,084 from the tribe equals about one-half of one percent of tribal expenditures for the 1980 fiscal year.

The Division of Administration and Finance, which controls the money that is spent by the Navajo Tribe, received just over 22.5 percent, or almost one-fourth of the tribe's own revenues in 1980.

Federal Support to the Navajo Tribe

Now, while the Navajo Tribe will use just over $29 million of its own money in 1980, it will receive from outside sources, including the Bureau of Indian Affairs (BIA) and other agencies of the federal government, just over $92 million. This means that the federal government is supplying over three times more money to the Navajo Reservation than the Navajo Tribe can generate by itself.

The total budget (or total amount of monies) that the Navajo Tribe had at its command in 1980 was over $121 million. This money was to operate the Navajo Tribal Government for one fiscal year (from July 1980, to June 1981).

Tribal Revenues and Tribal Government: Yesterday and Today

The Navajo Tribe has risen from small beginnings in 1949, when it first began to handle its own money. In that year, the tribal budget was $84,342. In 1980,

1. This is money generated by the Tribe itself, as opposed to money provided by the federal government.

thirty-one years later, the Tribal budget was for over 29 million dollars.

Since those early years, the Navajo Tribal Government has evolved into a large, and a very complex bureaucracy. Today there is a great deal of money to handle, and a great deal of power which lies in the hands of those who control that money.

Table 31 contains the breakdown of the proposed Navajo Tribal Budget for fiscal year 1980.

TABLE 31

THE NAVAJO TRIBE

Proposed Fiscal Year 1980 Budget
Budget and Finance Committee

	FY-79 Tribe	FY-80 Tribe	FY-80 OTHER	FY-80 Total
I. COUNCIL/COMMITTEES/STAFF				
Tribal Council and Committees	1,583,417	2,193,657	-0-	2,193,657
Chapter Officers	795,600	1,049,400	-0-	1,049,400
District Grazing Committee	346,245	400,656	-0-	400,656
Agency District Council	101,280	104,400	-0-	104,400
Land (Farm) Board	10,920	8,400	-0-	8,400
Emergency Services Coordinating Comm.	-0-	180,038	-0-	180,038
Election Supervisors Commission	229,396	173,186	-0-	173,186
Navajo Revolving Credit	-0-	-0-	114,850	114,850
Office of the Chairman	591,791	613,495	-0-	613,495
Office of the Legislative Secretary	251,035	274,766	-0-	274,766
Office of Budgets and Contracts	291,518	415,092	206,235	621,327
Office of the Auditor General	211,098	215,059	-0-	215,059
Office of the General Council	-0-	600,000	-0-	300,000
Office of the Claims Council	-0-	224,000	-0-	224,000
Navajo Nation Washington Office	-0-	108,660	-0-	108,660
Department of Youth Services	-0-	-0-	1,090,585	1,090,585
Department of Youth Recreation	-0-	-0-	188,027	188,027
YACC - Window and Chinle	-0-	-0-	329,586	329,586
YACC - Shiprock	-0-	-0-	329,586	329,586
Sub-Total	**4,412,300**	**6,560,809**	**2,258,869**	**8,819,678**
II. JUDICIAL BRANCH				
Supreme Judicial Council	-0-	9,620	-0-	69,620
Courts	898,829	719,050	-0-	719,050
Sub-Total	**898,829**	**788,670**	**-0-**	**788,670**
III. DIVISION OF ADMINISTRATION AND FINANCE				
Office of the Director	294,033	204,203	-0-	204,203
Systems and Procedures	-0-	295,612	-0-	295,612
Census and Statistical Services	413,691	204,520	-0-	204,520
Computer Services Department	728,615	811,496	-0-	811,496
Financial Services Department	1,005,916	1,206,008	-0-	1,206,008
Maintenance-Engineering Department	2,524,700	1,137,275	-0-	1,137,275
Property Control and Stores	294,350	236,924	-0-	236,924
Purchasing Department	-0-	105,458	-0-	105,458
Records and Communications	-0-	312,456	-0-	312,456
Insurance Services	1,103,834	75,032	15,045	90,077
Personnel Services	299,898	327,356	-0-	327,356
Safety/Accident Quality Control	-0-	187,245	-0-	187,245
Tribal Training Center	-0-	122,911	-0-	122,911
Transportation Department	-0-	-0-	-0-	-0-
Navajo Tax Department	-0-	346,627	-0-	346,627
Tax Department	-0-	122,338	-0-	122,338
Judges Salaries	-0-	79,122	-0-	79,122
Reconditioning Center	208,591	-0-	-0-	-0-
Contracts Administration	77,416	-0-	-0-	-0-
Fixed Costs	(3,611,504)	(2,046,075)	-0-	(2,046,075)
Sub-Total	**3,339,540**	**3,728,508**	**15,045**	**3,743,553**

	FY-79 Tribe	FY-80 Tribe	FY-80 Other	FY-80 Total
IV. DIVISION OF COMMUNITY DEVELOPMENT				
Administration	49,737	49,737	-0-	49,737
Revenue Sharing	520,000	520,000	3,053,224	3,583,224
Planning	208,510	208,510	158,651	367,161
Technical and Engineering Services	178,611	372,922	-0-	372,922
Water and Sanitation-Administration	261,559	210,004	-0-	210,004
Water and Sanitation-Drilling	324,930	324,930	192,000	516,930
Water and Sanitation-Operations	1,808,343	1,947,584	420,500	2,368,084
Water and Sanitation-Technical Services	194,220	-0-	-0-	-0-
Water and Sanitation-Central Shop	324,143	378,837	28,200	407,037
Equipment O & M	194,053	-0-	-0-	-0-
Sub-Total	**4,064,106**	**4,022,524**	**3,852,575**	**7,875,099**
V. DIVISION OF ECONOMIC DEVELOPMENT				
Administration	136,424	140,214	-0-	140,214
Technical Information	-0-	35,091	-0-	35,091
Economic Research and Development	21,000	-0-	360,000	360,000
Navajo Transit System	-0-	-0-	2,577,726	2,577,726
Business Management and Commerce	-0-	123,045	-0-	123,045
Navajo Mohair and Wool	-0-	-0-	922,357	922,357
Lumber and Supply	-0-	-0-	151,053	151,053
Navajo Optics	-0-	-0-	454,958	454,958
Air Transportation	-0-	153,999	106,680	260,679
Minerals Department	430,815	369,148	-0-	369,148
Sub-Total	**588,239**	**821,497**	**4,572,774**	**5,394,271**
VI. DIVISION OF EDUCATION				
Administration	126,924	119,044	16,241	135,285
Education Planning and Research	117,665	132,141	-0-	132,141
Monitoring and Evaluation	134,741	131,912	-0-	131,912
Bilingual Programs	-0-	51,234	-0-	51,234
Johnson O'Malley	-0-	-0-	5,267,890	5,267,890
Navajo Vocational Rehab	37,535	-0-	2,120,945	2,120,945
Post Secondary Education	37,535	44,980	-0-	44,980
Higher Education	-0-	-0-	4,917,385	4,917,385
Teacher Education Development	-0-	-0-	464,685	464,685
Navajo Special Education	-0-	-0-	65,000	65,000
Navajo School Administration	-0-	-0-	162,472	162,472
Sub-Total	**454,400**	**479,311**	**13,014,618**	**13,493,929**
VII. DIVISION OF HEALTH IMPROVEMENT				
Administration	-0-	-0-	183,878	183,878
Donated Foods Program	156.48	156,084	814,936	971,020
Community Health Repres.	-0-	-0-	3,048,965	3,048,965
Emergency Medical Services	-0-	-0-	1,379,559	1,379,559
Health Evaluation & Development	-0-	-0-	201,717	201,717
Women, Infants and Children	-0-	-0-	803,398	803,398
Behavior Health Services	-0-	-0-	247,307	247,307
Social Hygiene	-0-	-0-	294,616	294,616
Food and Nutrition Services	-0-	-0-	113,023	113,023
Navajo Aging Services	-0-	-0-	211,698	211,698
Streptococcal Disease Control	-0-	-0-	158,131	158,131
Tuberculosis Control	-0-	-0-	599,421	599,421
Preventive Health	-0-	-0-	106,806	106,806
Area Health Board	-0-	-0-	70,159	70,159
Management Services	-0-	-0-	398,264	398,264
Sub-Total	**156,148**	**156,084**	**8,631,878**	**8,787,962**

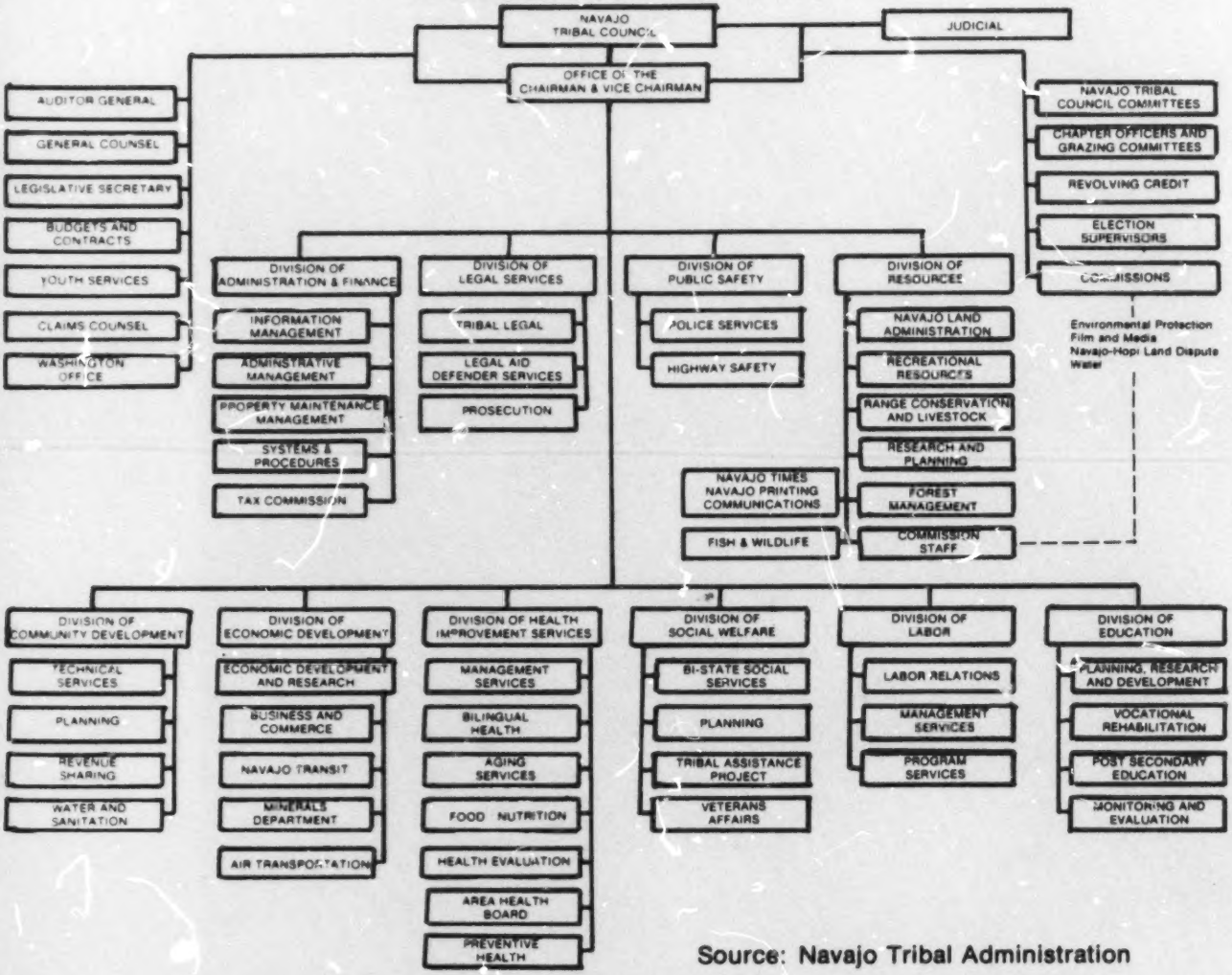
	FY-79 Tribe	FY-80 Tribe	FY-80 Other	FY-80 Total
VIII. DIVISION OF RESOURCES				
Administration	45,198	75,010	-0-	75,010
Navajo Land Administration	886,815	1,140,205	-0-	1,140,205
Navajo Water Commission	75,644	397,237	-0-	397,237
Recreational Resources	897,777	940,000	655,628	1,595,628
Environmental Protection Comm.	112,992	133,541	-0-	133,541
Range Conservation-Livestock	303,273	248,008	34,916	282,924
Fish and Wildlife Department	453,216	278,343	88,538	366,881
Navajo-Hopi Land Dispute	141,182	112,897	75,353	188,250
Forest Management	-0-	-0-	607,258	607,258
Navajo Times	-0-	-0-	400,509	400,509
Navajo Printing	-0-	-0-	124,091	124,091
Navajo Film and Media	21,150	159,957	-0-	159,957
Navajo Mass Communications	-0-	-0-	347,540	347,540
Research and Planning	-0-	85,492	-0-	85,492
Business Management-Administration	27,630	-0-	-0-	-0-
Fair and Community Centers	253,353	-0-	-0-	-0-
Lumber and Supply	83,067	-0-	-0-	-0-
Commerce and Business Reg.	299,782	-0-	-0-	-0-
Natural Resources-Administration	363,676	-0-	-0-	-0-
Tax Communication	443,436	-0-	-0-	-0-
Sub-Total	**4,408,191**	**3,570,690**	**2,333,833**	**5,904,523**
IX. DIVISION OF LEGAL SERVICES				
Tribal Legal Department	498,040	177,772	-0-	177,772
Tribal Legal Aid and Defender	199,038	169,229	-0-	169,229
Prosecution Department	-0-	-0-	510,458	510,458
Office of the Claims Counsel	210,000	-0-	-0-	-0-
Sub-Total	**907,078**	**347,001**	**510,458**	**857,459**
X. DIVISION OF LABOR				
Navajo Labor Relations	132,698	62,095	173,430	235,525
Title II	-0-	-0-	9,824,104	9,824,104
Title III	-0-	-0-	7,087,914	7,087,914
Title VI	-0-	-0-	13,563,970	13,563,970
Youth Employment and Training	-0-	-0-	2,343,122	2,343,122
Youth Conservation Improvement	-0-	-0-	413,300	413,300
Arizona Title I	-0-	-0-	1,057,347	1,057,347
New Mexico Title I -0-		-0-	253,198	253,198
Sub-Total	**132,698**	**62,095**	**34,716,385**	**34,778,480**
XI. DIVISION OF PUBLIC SAFETY				
Administration	362,308	481,929	65,000	546,929
Uniform Patrol	1,982,865	1,712,883	2,735,739	4,448,622
Communications	167,935	388,664	-0-	388,664
Support Services	371,314	710,641	-0-	710,641
Property Management	319,688	225,815	379,552	605,367
Records	94,429	29,450	132,002	161,452
Training	117,986	131,234	50,942	182,176
Criminal Investigation	193,176	47,881	214,265	262,146
Juvenile	58,151	103,798	-0-	103,798
Personnel	24,172	24,923	-0-	24,923
Special Security	-0-	99,480	-0-	99,480
Internal Investigation	40,736	-0-	-0-	-0-
Highway Safety	-0-	-0-	190,864	190,864
Sub-Total	**3,732,760**	**3,956,698**	**3,768,364**	**7,725,062**

XII. DIVISION OF SOCIAL WELFARE	FY-79 Tribe	FY-80 Tribe	FY-80 Other	FY-80 Total
Administration	596,113	73,890	-0-	73,890
Veteran's Affairs	170,466	142,011	-0-	142,011
Tribal Assistance and Projects	407,845	15,000	15,647,193	15,662,193
Bi-State Social Services	583,364	-0-	2,759,893	2,759,893
Tax Department	155,215	-0-	-0-	-0-
Planning	-0-	-0-	179,119	179,119
Sub-Total	**1,913,003**	**230,901**	**18,586,205**	**18,817,106**
CAPITAL EXPENDITURES				
Capital Reserve	1,000,000	4,400,000	-0-	4,400,000
Grand Total	**26,007,292**	**29,124,788**	92,261,004	121,385,792

Source: Navajo Tribe Budget and Finance Office

TABLE 32

THE NAVAJO TRIBE
ORGANIZATIONAL CHART FISCAL YEAR 1980



Source: Navajo Tribal Administration

CHAPTER 18

Interview with Chairman MacDonald

In the late summer of 1981 the author was granted an interview with Chairman MacDonald. The following is a transcription of that interview.

Author:

Would you elaborate on two or three major problems that face the Navajo Tribe today? Could you then lead from those areas into what you think could be the problems facing the Navajos in the future?

Chairman MacDonald:

To narrow it down to two or three problems facing Navajos today, but not necessarily in terms of priority, I would say one problem is to retain the unity in terms of sovereign status of the Navajo. The sovereignty of the Tribe is constantly being challenged. This includes jurisdiction and control of their own destiny. This is being challenged from every side. The maintenance of the Tribal sovereignty is one major problem.

Another is what kind of economic base is necessary for the Tribe to survive socially and economically. As you know, we have a tremendous amount of land. We have a birth-rate which is three times that of the United States and at times exceeds that, so you are now looking at a rapid increase of population. Therefore, the demand for jobs, education, and for goods and services all comes into play. This is one of the big challenges — to provide for the short-term and the long-term economic and social needs of our people.

The third area is culture, itself. How do you continue to maintain a strong tie with the customs, culture, and traditions of the Navajos in our rapidly changing world? This is a vital issue.

Another one that comes into play is the economic and social conditions involved in resource development. How does that play in the immediate and long-term economic development of the Tribe? This includes the kinds of industry which might be suitable and also the development of a transportation system for long-term needs of the Tribe. Concerning the sovereignty question we get into the problems of rights — water rights, the Tribe's rights. We want to regulate and to do our own thing on the Reservation. I think these issues are important.

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Author:

Would the lack of a constitution be the cause of these problems?

Chairman MacDonald

I wouldn't even narrow it down that much. I would say that the long-range government structure of the Navajo Nation is important. Of course, education is important and imperative when we talk about government, its structure, the way that it stands before the people, on behalf of the people, to protect their rights and their land, their sovereignty and to enhance their future and their survival, and the government becomes very important in this instance. It's not so much form, as it is quality. I think someone had said somewhere that democracy only works when you have an excess of leadership.

Author:

If you don't have an excess of leadership you don't have democracy?

Chairman MacDonald:

Right! If you only have one doctor and that's the only doctor you have — if you only have one potential leader and that's all you depend on, then you don't have democracy. The way I interpret it is, if you have an excess of qualifying, top-notch educated lawyers — Navajo lawyers — real top-notch educated Navajo doctors — medical doctors — engineers, government administrators, politicians, philosphers, then the people have a variety of choice to choose from and they then have true democracy. Once you make the choice from the midst of those people, others who are in the same field can provide leadership in those areas. You must have leadership in the legal area of the Tribe, you must have leadership in the health area and you have to have a number of leaders in the other areas.

Author:

So, actually education then is what will provide us quality.

Chairman MacDonald:

That's right! It's not that everybody wants to be a politician, you can't have that. The leadership of the total community of the nation has to come from all these fields until we have an excess of these various categories, then democacy will work in government.

Author:

In other words, the question of the Constitution then is something that needs to come later, after a period of training.

Chairman MacDonald:

That's like putting the cart before the horse, if you speak of structure before you even have the necessary leadership to go with that structure. That is why even now with the Tribal Government, we use the Navajo method, because that is the way it is and that is the way the people are at the Chapter level. We can't impose something on the Chapter where they have very little appreciation or understanding of why it is that way. When they become comfortable with it then the shape and the form of the government comes. Until then we have the Navajo people becoming comfortable with it in terms of getting the job done, getting on with the nation building, of the building of this Navajo Nation, as well as defending the Navajo Nation.

We have two major efforts all the time — building the nation as well as defending the nation — those two problems go hand in hand. This will continue for a long, long time because people are not going to quit bothering us by trying to take our water-rights and take

everything else that we have from us. They are not going to quit ten years from now and therefore there is always going to be a major effort by this nation, Navajo Nation, to continue to defend and ward off and to fight as well as to claim what is ours and what rightly belongs to us.

On the other hand there has been nation building, the building of the Navajo Nation. This includes schools, and the health of the young people. The education is what we're talking about. It provides for needs both immediate and long-term. So, there are two very strong efforts in that area.

Author:

I see economic development, as you mentioned as one of these important items as well. I know what frustrates some Navajos. It is the lack of ability to be able to start up their own business. Many young Navajos would like to try to do something but it is difficult with the land site leases. I know that much of the Tribal policy in terms of economic development leans toward the large-scale facilities, the bigger picture such as the forest product industries, NAPI, resource development, and the power companies. Do you think there is going to be a larger role for small Navajo businesses to play in the future? Do you see that fitting in with the scheme of Navajo tradition?

Chairman MacDonald:

Yes. As a matter of fact, one plan of mine for the Navajo Council is the development of the private sector through the individual Navajo businessmen. Now, that is as clear as it could be. That's the policy and that's the program. This is a very, very tough problem. As far as I am concerned, unless we develop an individual Navajo business sector, a Navajo private sector, the long-range self-sufficiency, a long-range economic and social development program, we are very much in limbo. Let's say, our goals in that area are somewhat diminishing and are even in jeopardy, unless we have the development of the individual Navajo business as the base of the Navajo private sector. Unless we have it we are not going to get very far in terms of economic and social self-sufficiency. This is my belief. Then we could question, why are all of these big things happening here, like the forest products and the shopping centers, the major shopping centers. We also have tremendous pressure on the part of the people; we want something now. We don't want to drive to Gallup anymore to get our groceries, to get spoiled milk. We want quality food, we want it here. Some of the things you see taking place are our response to that need.

Author:

Even though that kind of business development is on a bigger scale, it is one way to get there.

Chairman MacDonald:

In other words, it's to meet the immediate need. Now the long-range need is this need, but I would like to see some immediate results. But we have problems. One of the many problems is the problem with the homesite lease and with the business site lease.

And our other problem is lending. As much as I would like to do this or that, if I can't get money from the bank then my hands are tied. In this sense then, the individual effort is frustrated.

Another thing is business technique. There is a business practice that oftentimes we really don't take into consideration. I may get a business site lease; I want a service station. Since I have never been in the service station business before I really have no idea how to run this business but I feel that somehow I am going to be self-sufficient and I am going to make lots of money, but that is not the case. If you invest too much money beyond what you are getting initially, you may only realize four thousand dollars a year because you're paying out

a great deal on a mortgage for the building you bought and will need that to keep it alive. The payoff is five to ten years from now.

Oftentimes we go in there with the idea we'll be making lots of money immediately and then we discover we only make five thousand a year after we pay bills. And then, right next door, a neighbor of ours who works for CETA is making twenty thousand a year and gets Saturdays and Sundays off and only works eight hours a day.

What you have is this huge investment that you'll have to pay off. Often our Navajo businessmen who get these leases get frustrated and they just let it die out or they sublease it. That's not the good way to become a businessman.

Author:

Should white people be brought in?

Chairman MacDonald:

White people come in and take it over and give you three to four hundred a month and you go herd sheep or do something, well, you're not benefiting; the Navajo Tribe is not benefiting; no one is benefiting except the Anglo sub-leasee. So, we have that problem.

We are working in every way possible to make sure that we understand how businesses really behave. You don't suddenly start off with five hundred head of sheep — we understand that. How did my father and my grandfather start out having a flock of sheep? They start off with maybe one little lamb which the mother doesn't want to nurse. But you take that one and you take a bottle and you feed it and that's yours. You have one, then two, then three and then you take care of it and it's yours. They grow and begin to increase. By the time you get to be 18 or 20 years old, you actually may have 6 or 8 or maybe 10 or 15 of your own.

It is the same way with a girl — when you get married at 18 or 20, both of you may have 15 to 20 head, so you bring them together. Now you have 30 head of sheep. You start out small and then if you want to have more there is a certain way to go about it so it continues to multiply. After 5 or 6 years (it depends upon how diligent and how careful you are) you may have 150. Then, after you go beyond 150 to 200 the multiplication becomes easier.

Author:

That's the way we must think about Navajo businesses?

Chairman MacDonald:

We can start off with a small investment and start with a Ma and Pa operation. And I'm sure that Standard Oil, Exxon, all these big companies started out way down there, eighty years ago, as a Ma and Pa operation. They didn't become what they are overnight. Once you are that large you can expand, it depends upon how you merge things. But in the beginning they began small and perhaps they went hungry for a year or two. Maybe they had to try it twice. This is something that the young people — Navajo businessmen — must understand. That's why I feel one of the programs I suggested, a youth program, the Junior Achievement, is so important.

Author:

It seems like many of these things can be a generation, or two generations away. As we look to the future we aren't going to be able to solve our problems in five years. We are going to solve them in terms of generations.

Chairman MacDonald:

We look at it in that way. That means we have got to have patience. If we put the Navajo Tribe in hock by borrowing money and guaranteeing profits for everybody going into business and maybe 75% of them move on its own accord. I am sure there are a number of individual Navajo businessmen who can go right in and do it now. But, for every one or two

Chairman Peter MacDonald discussing a point during interview.

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there are four or five who have a different concept of what they expect. We need to be careful in that sense.

Fleming Begay is a good example of a successful man. Michael Nelson didn't start big, but now he is at the place where he can actually mortgage his business and earn the income he is used to and at the same time pay his bills and pay off his mortgage and debts. It's an art by itself and how fast we get there really depends on how well we can deal with our problems. I will do my best to make it as easy as possible for individual Navajos to get into business.

One of our preferences is building shopping centers. If we build enough shopping spaces other Navajos can come in and take advantage of it, but it requires dedication and commitment. There are times when nobody will come into your store and you must be prepared for this. It's going to be rough but if you stay with it, it's going to pay off in the long run. I think that kind of education and that kind of understanding is very essential.

Author:

How important do you feel is the Forest Products Industry, NAPI or NECCA?

Chaiman MacDonald:

As a matter of fact, I do not like to see the Navajo Tribe Government running businesses. I frown on that because it seems to be a building of socialism. That stifles the individual initiative and that is why I am very much in favor of cultivating this private sector from various angles.

Author:

The energy policy that has recently been passed in the last two years is quite significant, I believe.

Chairman MacDonald:

It is significant.

As you know I am two heads here; I represent the Cartel as well as the Navajo Nation's Energy Program. The energy policy we have was needed to accomplish a number of things. One was to send signals to all energy companies across the country, telling them what our position is. Secondly, we want to voice our position to the Tribal Administration as well as to the Tribal people. They should know where we stand and how we look at energy development, management and protection of our energy resources. Thirdly, it was to provide a basis from which we would develop regulations, policies, and laws that will fall in line with stated policies of the Tribal Council. We know that in many cases we stand apart from what we say we want and what we shall have with respect to energy development and energy management and what is actually happening out there. There is a gap. We have the information, all we need to do is compile it.

The second thing we want to do and are in the process of doing is to fill in these gaps? We say we want the highest price for our energy; we aren't getting it. So how are we going to get this situation in line with our policy? We will have to go back to the Council and file law suits or maybe renegotiate with them.

But there are other options to consider in order to achieve our stated goal. One aspect of this is energy. How do we go forward? We say we will be the master of our own destiny in terms of doing our own thing. We don't need to have Exxon develop oil and gas. We don't need Peabody in the long-run to mine our coal — we want to mine it ourselves. With all that we have, we actually can become competitive. Perhaps 10 to 15 years from now, Exxon, Conoco and other major energy companies where we won't need to deal with just our own energy. Energy worldwide will actually enhance our Tribe's position in terms of the power we have with respect to dealing with states and governments.

These are some of the long-range plans we have. So I am making sure we give sufficient time and research to this program and make sure we start off on the right foot.

I think that the Navajo Nation has come into its own. That is what I mean by Nation Government — Navajo Nation. In order to build a Nation there are certain issues which are most important. One of the vital ones is certainly the people. They must be motivated; they need to have goals and aspirations. They need local units such as Chapters where their voice will be heard and to which revenue sharing monies and other programs could be directed. Of course the government stands for the whole Nation. It must be strong enough to protect and articulate the needs of the entire Nation. It must be strong enough to forge ahead. That is not easy as I have said; there has been a constant battle going on with the forces on the outside. For some reason or another they don't want us to be strong; they don't want us to have our own control.

I believe that we can support the entire Navajo population. It has been demonstrated that we can support ourselves, and have complete control over our education and over our health systems. We can adjust our own social needs and social problems. We can begin to address our own economic needs. We can attest that we are strong enough to have the mind and the vision to bring those great dreams into existence. It is just a matter of having the people continue to dream great dreams.

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